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..CHARTER..

...AND...

REVISED ORDINANCES

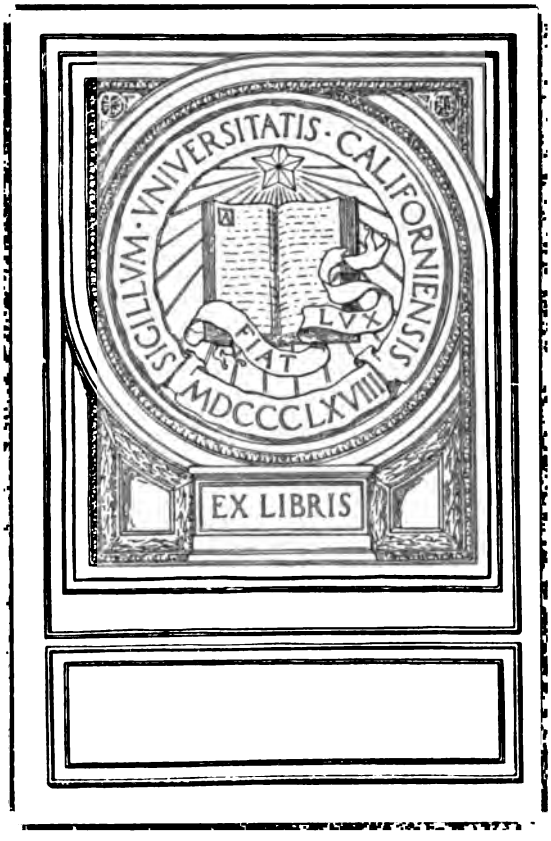
...OF THE...

CITY OF EUREKA.

PUBLISHED BY ORDER OF

THE MAYOR AND COUNCIL

1905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Charter

and

Revised Ordinances

of the

City of Eureka

Published by order of

The Mayor and Council

1905

STANDARD PRINT

JS862
A15
1905

ORDER OF BUSINESS.

1.—Roll Call.

2.—Reading and Approval of the Journal.

3.—Presentation of Petitions.

4.—Presentation of Communications.

5.—Consideration of Bids for Public Work.

6.—Report of Standing Committees.

7.—Report of Special Committees.

8.—Official Reports.

9.—Unfinished Business.

10.—Messages from the Mayor.

11.—New Business.

12.—Consideration of Claims.

13.—Miscellaneous Business.

M23620

CITY OFFICERS.

Mayor ..... A. W. Torrey
President of Council ..... W. L. Lambert
City Clerk and Tax Collector ..... J. P. Wunderlich
Assessor ..... C. L. Devlin
Treasurer ..... C. H. Lea
Superintendent of Streets ..... John Schott
Police Judge ..... J. M. Melendy
City Attorney ..... E. C. Cooper
City Engineer ..... W. C. Elsemore
Chief of Police ..... H. B. Hitchings
Chief of Fire Department ..... Oscar Paul
Sewer Inspector ..... John Goodman
Building Inspector ..... W. H. Newcomb

COUNCILMEN.

First Ward ..... G. A. Waldner
Second Ward ..... G. H. Schulze
Third Ward ..... W. L. Lambert
Fourth Ward ..... Thomas W. Fox
Fifth Ward ..... E. P. Campbell

STANDING COMMITTEES.

Finance ..... W. L. Lambert, E. P. Campbell, G. H. Schulze
Fire and Water ..... Thos. W. Fox, G. A. Waldner, G. H. Schulze
Ordinance ..... E. P. Campbell, G. H. Schulze, W. L. Lambert
License and Excise ..... G. A. Waldner, E. P. Campbell, Thos. W. Fox
Streets and Alleys ..... G. A. Waldner, W. L. Lambert, E. P. Campbell
Printing ..... G. H. Schulze, W. L. Lambert, E. P. Campbell
Health and Police ..... E. P. Campbell, Thos. W. Fox, G. H. Schulze
Sewers ..... Thos. W. Fox, W. L. Lambert, E. P. Campbell, City Engineer, W. C. Elsemore, ex-officio member.
Public Buildings and Grounds ..... W. L. Lambert, G. H. Schulze, Thos. W. Fox
Park ..... G. H. Schulze, W. L. Lambert, G. A. Waldner

Board of Education.

President ..... T. D. Petch
Superintendent and Secretary ..... A. C. Barker

DIRECTORS.

First Ward ..... J. E. Janssen
Second Ward ..... A. Cottrell
Third Ward ..... T. D. Petch
Fourth Ward ..... Curtis O. Falk
Fifth Ward ..... Charles Falor

Free Public Library.

President ..... Annie E. Cochrane
Secretary ..... Ernest Muller

TRUSTEES.

First Ward ..... Charles Armstrong
Second Ward ..... G. R. Georgeson
Third Ward ..... Ernest Muller
Fourth Ward ..... Annie E. Cochrane
Fifth Ward ..... Daniel Campbell
Librarian ..... W. G. Bonner

Board of Health.

President ..... A. W. Torrey, Mayor
Health Officer and Secretary ..... F. H. Ottmer, M. D.

MEMBERS.

A. W. Torrey, Mayor; J. J. Gaynor, M. D.; Harold G. Gross, M. D.; T. L. Loofbourrow, M. D.; W. C. Elsemore, City Engineer.

OFFICERS OF THE CITY OF EUREKA

From the Incorporation of the City in 1874 to 1907.

MAYORS

Thomas Walsh .....1874 to 1878
Thomas Walsh .....1880 to 1886
(1) John Vance .....1888 to 1892
C. G. Stafford .....1894 to 1897
(14) D. J. Flanigan .....1900 to 1901
Wm. S. Clark .....1903 to 1905
Jonathan Clark .....1878 to 1880
William Wallace .....1886 to 1888
(4) L. T. Kinsey .....1892 to 1894
(9) David Evans .....1897 to 1901
A. W. Torrey .....1901 to 1903
A. W. Torrey .....1905 to 1907

COUNCILMEN

Jonathan Clark .....1874 to 1878
(1) Jonathan Clark .....1882 to 1884
Alex. Cookson .....1874 to 1880
J. W. Freese .....1876 to 1880
John A. Watson .....1876 to 1882
J. H. Kimball .....1878 to 1880
A. Cottrell .....1880 to 1886
Richard Sweasey .....1880 to 1882
(2) James Simpson .....1882 to 1884
Daniel Murphy .....1884 to 1886
W. T. Olmstead .....1886 to 1888
J. P. Hopkins .....1886 to 1888
(3) A. J. Monroe .....1887 to 1888
Alex. Connick .....1888 to 1892
S. S. Loveren .....1888 to 1890
N. H. Pine .....1888 to 1890
N. H. Pine .....1892 to 1894
W. L. Heney .....1890 to 1894
W. L. Heney .....1895 to 1897
(5) John McIntosh .....1894 to 1894
Ernest Sevier .....1894 to 1895
J. C. Dodge .....1894 to 1897
(6) Robert Holmes .....1895 to 1895
W. H. McWhinney .....1895 to 1897
(1) Jonathan Freese .....1874 to 1876
Allan McKay .....1874 to 1876
F. A. Weck .....1874 to 1876
Peter Belcher .....1876 to 1878
W. J. McNamara .....1878 to 1880
J. F. Coonan .....1901 to 1905
G. H. Schulze .....1905 to 1907
W. L. Lambert .....1903 to 1907
A. Hitchings .....1880 to 1882
(1) David Kendall .....1880 to 1886
Thomas Cutler .....1882 to 1886
Thomas Baird .....1884 to 1886
W. L. Mercer .....1886 to 1888
C. L. Devlin .....1886 to 1888
H. H. Buhne, Jr. .....1886 to 1887
H. H. Buhne Jr. .....1895 to 1899
L. T. Kinsey .....1888 to 1890
G. H. Shaw .....1888 to 1890
Solomon Cooper .....1890 to 1892
Henry Sevier .....1890 to 1894
W. S. Clark .....1890 to 1894
J. A. Quill .....1892 to 1894
L. J. Marshall .....1894 to 1895
J. Stanley Brown .....1894 to 1895
Thomas Brown .....1894 to 1895
H. S. Marvel .....1895 to 1897
(9) U. W. Christie .....1897 to 1898
(11) W. F. Gibbard .....1898 to 1899
John S. Connick .....1897 to 1899
H. A. Poland .....1897 to 1903
(9) P. F. Antonsen .....1897 to 1898
(12) A. T. Crane .....1898 to 1899
A. H. Buhne .....1899 to 1903
R. Gross .....1899 to 1901
A. C. Dauphiny .....1899 to 1903
Frank Zeigler .....1899 to 1905
G. A. Waldner .....1903 to 1907
J. A. Quill .....1903 to 1905
Thos. W. Fox .....1905 to 1907
E. P. Campbell .....1905 to 1907

CITY MARSHAL.

Joshua Vansant .....1874 to 1880
Andrew Hitchings .....1886 to 1888
N. G. Lindsay .....1880 to 1886
N. G. Lindsay .....1888 to 1895

CITY TREASURER

Richard Sweasey .....1874 to 1876
Fred Young .....1886 to 1888
Fred Young .....1895 to 1896
H. Kingston .....1876 to 1886
H. Kingston .....1888 to 1890
Jas. G. Crichton .....1890 to 1895
S. T. Weatherby .....1897 to 1905
C. H. Lea .....1905 to 1907

ASSESSOR

A. W. Randall .....1874 to 1876
George K. Heney .....1877 to 1880
William Wallace .....1882 to 1884
Fred Axe .....1886 to 1888
(9) D. J. Foley .....1890 to 1899
W. P. Hanna .....1876 to 1877
(1) E. J. Stewart .....1880 to 1882
(7) Henry Sevier .....1881 to 1882
C. E. Baldwin .....1884 to 1886
C. E. Baldwin .....1888 to 1890
A. C. Noe .....1899 to 1899
C. L. Devlin .....1899 to 1907

POLICE JUDGE

D. C. Scott .....1874 to 1876
(1)J. H. Stinson .....1878 to 1880
E. H. Howard .....1882 to 1884
(8) J. H. Dungan .....1888 to 1888
Samuel Holmes .....1895 to 1897
E. H. Howard .....1876 to 1880
G. W. Tompkins .....1880 to 1882
(1) A. D. Sevier .....1884 to 1888
John Carr .....1888 to 1895
J. M. Melendy .....1897 to 1907

CITY ATTORNEY

James Hanna .....1874 to 1876
J. J. De Haven .....1878 to 1880
S. M. Buck .....1881 to 1886
(10) J. H. G. Weaver .....1887 to 1888
A J. Monroe .....1894 to 1899
E. C. Cooper .....1903 to 1907
J. G. Swinnerton .....1876 to 1878
James Hanna .....1880 to 1881
E. W. Wilson .....1886 to 1887
J. N. Gillett .....1888 to 1894
E. P. Campbell .....1899 to 1903

CITY CLERK

A. J. Huestis ....1874 to 1876
Geo. H. Kimball .....1878 to 1880
E. C. Bonstell .....1886 to 1888
W. G. Bonner .....1894 to 1897
W. F. Huestis .....1876 to 1878
A. G. Brown .....1880 to 1886
Jas. T. Keleher .....1888 to 1894
J. P. Wunderlich .....1897 to 1907

CHIEF OF POLICE

H. B. Hitchings .....1896 to 1907

SUPERINTENDENT OF STREETS

John F. Devoy .....1896 to 1901
(1) Frank Thomas .....1901 to 1904
John Schott .....1904 to 1907

TAX COLLECTOR

E. C. Bonstell 1897
J. P. Wunderlich .....1897 to 1907

CITY ENGINEER.

J. N. Lentell 1897
Frank E. Herrick .....1901 to 1905
(9) W. C. Elsemore .....1897 to 1900
W. C. Elsemore .....1905 to 1907

(1). Deceased while in office.
(2). Appointed to fill vacancy caused by death of David Kendall.
(3). Appointed to fill vacancy caused by resignation of H. H. Buhne, Jr.
(4). Appointed to fill vacancy caused by death of John Vance.

(5). Appointed to fill vacancy caused by resignation of Jas. A. Quill.
(6). Appointed to fill vacancy caused by resignation of Thomas Brown.
(7). Elected to fill vacancy caused by death of E. J. Stewart.
(8). Appointed to fill vacancy caused by death of A. D. Sevier.
(9). Resigned.
(10). Appointed to fill vacnncy caused by resignation of E. W. Wilson.
(11). Appointed to fill vacancy caused by resignation of U. W. Christie.
(12). Appointed to fill vacancy caused by resignation of P. F. Antonsen.
(13). Appointed to fill vacancy caused by resignation of D. J. Foley.
(14). Appointed to fill vacancy caused by resignation of David Evans

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UNIV. OF CALIFORNIA

CHARTER

—OF THE—

THE CITY OF EUREKA.

Concurrent Resolution.

APPROVING THE CHARTER OF THE CITY OF EUREKA, IN THE COUNTY OF HUMBOLDT, STATE OF CALIFORNIA, WHICH WAS VOTED FOR AND RATIFIED BY THE QUALIFIED ELECTORS OF SAID CITY, AT A SPECIAL ELECTION HELD THEREIN FOR THAT PURPOSE IN THE CITY OF EUREKA, ON THE 26TH DAY OF JANUARY, 1895.

WHEREAS, The City of Eureka, in Humboldt County, State of California, is now, and at all the time hereinafter referred to was, a city containing a population of more than three thousand five hundred, and not more than ten thousand inhabitants; and whereas, at a general municipal election, duly held in said city on Monday, June eighteenth, eighteen hundred and ninety-four, in accordance with law and the provisions of section eight of article eleven of the Constitution of this State, a Board of fifteen Freeholders, duly qualified, was duly elected in and by said city, and by the qualified electors thereof, to prepare and propose a charter for said city, which said Board of fifteen Freeholders did, within ninety days next after such election, prepare and propose a charter for said city, which said charter was, on the fourteenth day of September, eighteen hundred and ninety-four signed in duplicate by all of the members of said Board of Freeholders, and was, on said last named day, returned, one copy thereof to the Mayor of said city, and one copy thereof to the Recorder of the county of Humboldt, in which said city is situated; and whereas, such proposed charter was then published in a daily newspaper of general circulation in said city, to-wit: The "Daily Humboldt Standard," for more than twenty days, such publication having commenced within twenty days after the completion of said proposed charter and the return therof to the Mayor, as aforesaid; and whereas, said charter was, within not less than thirty days after the completion of said publication, submitted by the legislative authority of said city, to-wit: by the Common Council thereof, to the qualified electors of said city, at a special election, previously duly called, and thereafter held in said city on January twenty-sixth, eighteen hundred and ninety-five; and whereas, the returns of said election were duly canvassed by said Common Council of the City of Eureka, at its meeting held on Monday, January twenty-eighth, eighteen hundred and ninety-five, and said Common Council found as the result of said canvass, and did duly determine and declare that there were cast at said election ten hundred and eight-eight votes, eleven thereof being rejected, and six hundred and forty-nine votes being in favor of the ratification of said charter, and four hundred and forty-eight votes and no more being against the ratification

Population of Eureka

Election held

Charter published

Charter submitted

Charter ratified

of said charter; and that said charter had been duly ratified and adopted by a majority of all the qualified electors of said city voting at such election; and whereas, at such election a majority of the qualified electors of said city voting thereat did vote in favor of and ratify and adopt said charter, and whereas said charter, as so ratified is now submitted to the Legislature of the State of California for its approval or rejection as a whole, without power of alteration or amendment, in accordance with the provisions of section eight of article eleven of the Constitution of said State. Said charter is in words and figures following,to-wit:

CHARTER FOR THE CITY OF EUREKA.

ARTICLE I.

OF BOUNDARIES, RIGHTS AND LIABILITIES.

Corporation name

Seal

Powers

SECTION 1. The municipal corporation now existing, known as the City of Eureka, shall remain and continue a body politic and corporate, under the name and style of the City of Eureka, and by that name shall have perpetual succession; and may have and use a common seal, alterable at pleasure; and may purchase, receive, hold, and enjoy real and personal property within or without its boundaries, and sell, convey, let, mortgage and dispose of the same for the common benefit, and may determine and declare what are public uses, and when the necessity exists of condemning lands therefor, and what are the lands it is necessary to condemn; and may receive bequests, gifts and donations of all kinds of property, wherever situate, in fee simple or in trust, for charitable or other purposes, and do all acts necessary to carry out the purposes of such bequests, gifts, and donations, with the power to manage, sell, lease, or otherwise dispose of the same in accordance with the terms of the gift, bequest, or trust.

Succeeds former city

SEC. 2. The public buildings, lands, and property, all rights of property and rights of action, all money revenues, and income, belonging or appertaining to the City of Eureka, are hereby declared to be vested in said City of Eureka.

Powers and duties preserved

SEC. 3. The said City of Eureka shall continue to have, hold, use, and enjoy all public buildings belonging to the City of Eureka, and lands, wharves, water, property, real and personal, rights of property, rights of action, suits, actions, moneys, revenues, income, books, documents, records, archives, claims, demands, and things in possession and action, of every nature and description, and shall be subject to all the obligations, debts, liabilities, dues and duties of the existing municipality.

Suits how brought

SEC. 4. Suits, actions, and proceedings may be brought in the name of the City of Eureka, for the recovery of any property, money, or thing belonging thereto, in law or equity, rights of, or contracts with said City of Eureka, whether made, or existing, or accuring before or after the adoption of this charter; and all existing suits, actions, and proceedings in the courts or elsewhere to which said city is a party, shall continue to be carried on by or against the said City of Eureka.

BOUNDARIES OF THE CITY.

City boundaries

SEC. 5. The boundaries of the City of Eureka are as follows: Commencing at the quarter-section post between sections thirty-five (35) and thirty-

six (36), in township five (5) north of range one (1) west of Humboldt base and meridian, and running from thence north on the section line between sections thirty-five (35) and thirty-six (36), twenty-five (25) and twenty-six (26), and twenty-three (23) and twenty-four (24), in said township and range, to the ship channel in Humboldt Bay, as laid down on a map of the City of Eureka made by J. N. Lentell, and now on file in the office of the Recorder of Humboldt County, State of California, and which said channel is therein designated and called "Eureka Slough;" thence following the edge of said channel in a northerly, westerly, and southerly direction around Humboldt Bay towards the entrance thereto, to a point where a line running east and west through the center of section thirty-three (33), in said township and range, would intersect said ship channel; and thence running east on said line through the center of sections thirty-three (33), thirty-four (34), and thirty-five (35) in said township and range, to the place of beginning.

Wards

SEC. 6. The City of Eureka is hereby divided into five wards, numbered consecutively from one to five, inclusive, the respective boundaries of which shall be as follows, to-wit: All that portion of the city described as follows: Commencing at a point where the center of "A" street if extended northerly, would intersect the city limits; running thence southerly along the center of said "A" street, if extended, to the center of Fourth street; thence easterly along the center of Fourth street to the center of "F" street; thence southerly along the center of said "F" street to the center of Seventh street; thence easterly along the center of said Seventh street to the center of "J" street; thence northerly along the center of said "J" street to the city limits in Humboldt Bay; thence westerly along said city limits to the place of beginning, shall constitute the First Ward.

1st Ward

2d Ward

All that portion of the city described as follows: Commencing at a point where the center of "J" street would intersect the city limits if extended northerly; thence southerly along the center of said "J" street to the center of Seventh street; thence easterly along the center of said Seventh street to the center of Myrtle Avenue or Arcata Road; thence easterly along the center of said avenue or road to the city limits, as established by ordinance number one hundred and forty-one; thence north on the eastern boundry of said city to "Eureka Slough;" thence northwesterly and westerly along the city limits to the place of beginning shall constitute the Second Ward.

3d Ward

All that portion of the city described as follows: Commencing on the south boundary of said city, as established by the said ordinance number one hundred and forty-one, at a point where the center of "F" street intersects said boundary; thence northerly along the center of said "F" street to the center of Seventh street; thence easterly along the center of said Seventh street to Myrtle Avenue or Arcata Road; thence easterly along the center of said avenue or road to the city limits as established by said ordinance number one hundred and forty-one; thence south on the eastern boundary of the city to the south boundary thereof; thence west along the south boundary line to the place of beginning, shall constitute the Third Ward.

4th Ward

All that portion of the city described as follows: Commencing at a point where the center of "A" street, if extended northerly, would intersect the city limits; running from thence southerly along the center of said "A" street, if extended, to the center of Fourth street; thence easterly along the center of said Fourth street to the center of "F" street; thence southerly along the center of said "F" street to the center of Thirteenth street; thence westerly along the center of

Thirteenth street, if extended westerly, to its intersection with the center of Cedar street; thence west along the centr of said Cedar street to the ship channel or city limits in Humboldt Bay; thence northerly and easterly along said ship channel or city limits to the place of beginning, shall constitute the Fourth Ward.

5th Ward

All that portion of the city which is not included in the First, Second, Third and Fourth Wards shall constitute the Fifth Ward.

Wards, Council may change

And the Council of said city shall have power by ordinance to fix, establish, and change the boundaries of said wards whenever it may deem it expedient.

ARTICLE II.

ELECTIONS.

Elections

SEC. 7. Elections to be held in said city for the purpose of electing officers of said city and for all other purposes are of two kinds:

First.—General municipal elections.

Second.—Special municipal elections.

Elections, when held

SEC. 8. General municipal elections shall be held biennially on the third Monday in June, commencing with the third Monday in June, eighteen hundred and ninety-five. At each general election there shall be elected a Mayor, five members of the Council, Assessor, Treasurer, Tax Collector, Police Judge, City Attorney, City Clerk, City Engineer, Superintendent of Streets, five School Directors, and five Trustees of the Free Public Library.

Officers elected

SEC. 9. Special municipal elections for all purposes designated in this charter shall be held on the days as fixed by the Council therefor.

Elections, conform to State law

SEC. 10. All general and special municipal elections shall in all respects as nearly as may be, be held and conducted in accordance with the provisions of the laws of the State for the holding of general elections in effect at the time and the Council shall make all the necessary arrangements for holding said elections in accordance therewith; and the canvass and the declaring of the result of all elections by the Council shall be in accordance with the provisions of said State laws.

Vacancy, special elections

SEC. 11. Special elections shall be held for the purpose of electing Assessor, Treasurer, Tax Collector, Police Judge, City Attorney, City Clerk, City Engineer, or Superintendent of Streets, in case of a vacancy occurring in any of the said offices, and for other purposes not especially provided for.

In the event of any such vacancy, such election shall be ordered and held without delay, provided that the Council shall, in all such cases, have power to fill such vacancy until an election can be held.

Questions, when submitted

SEC. 12. The Council shall have power to submit to the electors of said city at any election any question required to be submitted by the Constitution, the laws, this charter, or by ordinance; provided, that in case such question is required by said Constitution, law, charter, or ordinance to be submitted at a special or other particular kind of election, it shall be so submitted, and not otherwise.

Elections, Council to order

SEC. 13. The Council of said city shall, by ordinance, order the holding of all elections. Such ordinance shall specify the objects and time of, and the place or places within the limits of each ward for the holding of such election, and the names of the Inspectors, Judges of Election, Clerks, and Ballot Clerks for each ward or precinct of each ward, as the case may be, who must be residents thereof, to conduct the holding of and make returns of such election.

Said ordinance shall be published in some daily newspaper printed and published in said city, for at least ten days prior to the time appointed for the holding of the election. Election ordinance publishing

SEC. 14. Returns of all elections shall be made to the Council, who shall within ten days thereafter, either at a regular or special meeting, canvass the returns, and declare the result thereof, and order certificates of election to be issued by the City Clerk to the persons elected. Returns canvass

SEC. 15. The officers elected at a general municipal election, shall, after they have qualified as provided in this charter, enter upon the discharge of the duties of the offices to which they have been elected, on the second Monday in July next succeeding their election, and shall hold their offices for the term of two years, and until their successors are elected and qualified; except School Directors as hereinafter provided for, and except in case of an election to fill a vacancy at a special election, in which case they shall, after qualifying as herein provided, enter at once upon the discharge of the duties of the office, and shall hold office for the remainder of the term, and until their successors shall have been elected and qualified. Officers to hold office.

SEC. 16. The present officers of the city shall hold, continue to hold, and exercise their respective offices until the second Monday in July, eighteen hundred and ninety-five, or until the election or appointment and qualification of the first officers to be elected or appointed under this charter with the powers and duties vested in and imposed upon them by the charter and the ordinances of the city under which they were elected.

SEC. 17. In establishing election precincts the Council shall make them as geographically compact as possible, and so that no precinct shall have more than two hundred electors therein. Precincts

SEC. 18. Only such persons residing in the city whose names appear upon the Great Register of Humboldt County at the time of any municipal election shall be entitled to vote at such election; and to this end and extent, said Great Register is hereby adopted as the register of voters in and for the city. The Council shall cause the authenticated copies of such Great Register to be made and used at and for all municipal elections; provided, that in case a City Great Register is provided in pursuance of the provisions hereinafter contained, then such City Great Register shall be used instead of the Great Register of Humboldt County. Voters, who are Register

SEC. 19. The qualifications of an elector at any election held in said city in pursuance of this Charter, shall be the same as those prescribed by the laws of this State for electors at any general State election, in force at the time of such election. Voter qualifications

SEC. 20. It shall be the duty of the Council, at the time the Board of Supervisors of the County of Humboldt are preparing for the printing of Great Registers to provide for the printing of a sufficient number of such Registers for the general and special municipal elections, to be held or likely to be held in the City of Eureka. Register

SEC. 21 The certificates of election, issued by the City Clerk, must be authenticated with the seal of the city. No other authentication shall be necessary. Certfiicates of election

ARTICLE III.

LEGISLATIVE DEPARTMENT

SEC. 22. The legislative power of the City of Eureka shall be vested in a Council of five members, whose term of office shall be two years.

Council, qualifications of

SEC. 23. One member of the Council shall be elected from each of the five wards of the city, and no person shall be eligible to the office of Councilman who has not resided in such city for one year, and in the ward from which he is elected at least six months next preceding his election, and if he fail to so continue a resident of such ward, his office shall, by reason thereof, become vacant; provided, that in case a redistricting or redivision of the city into wards be made, whereby the lines or boundaries of any wards are changed, the last provision in regard to residence shall not apply to any person whose residence has been changed thereby from the ward from which he was elected and in which he resided.

Council, vacancies in

SEC. 24. Any vacancy occuring in the office of Councilman shall be filled by appointment by the Mayor, and the person so appointed by him shall possess the qualifications hereinbefore prescribed for members of the Council, and shall hold office until the election and qualification of his successor, which election shall take place at the next succeeding general municipal election.

Council, meetings

SEC. 25. The Council shall meet in the City Hall of the city on the second Monday of July succeeding their election, and at such other times as may be designated by ordinance. If at any time a regular meeting falls on a holiday, such regular meeting shall be held on the following day. Special meetings may be called by the Mayor or three members of the Council. Three members of the Council shall constitute a quorum, and the affirmative vote of three members shall be necessary for the passage of an ordinance, or the final transaction of any business, but a less number than three may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as the Council may by ordinance prescribe.

Special meetings

Quorum

President of Council

SEC. 26. The Council shall be the judge of the election, qualification, and return of its own members. It shall elect one of its members, who shall be styled the President of the Council and who shall preside at all meetings of the Council during the absence of the Mayor, and shall, in case of the sickness or inability of the Mayor, or his absence from the city, act as the Mayor of the city. The Council shall establish rules for its proceedings. It shall have power to punish its members for disorderly conduct, committed in its presence, and may expel any member for malfeasance in office by an affirmative vote of four of its members. It shall have the power to compel the attendance of witnesses, and the production of all papers relating to any business before that body, and may punish disobedience of its subpoena, or contemptuous or disorderly conduct, committed in its presence, by fine not exceeding fifty dollars, or imprisonment not exceeding ten days, or by both such fine and imprisonment.

Oaths, officers may administer

SEC. 27. The President of the Council, the Chairman of each committee and each and every elective officer shall have the power to administer oaths and affirmations relative to any business brought before the Council, or under consideration by its committees or their respective departments.

$10,000 limit

SEC. 28. The Council of said city shall not without the assent of two-thirds of the qualified electors of said city, voting at an election to be held for that purpose, contract any debts or liabilities by borrowing money, loaning the credit of the city, or otherwise, which singly or in the aggregate shall at any time exceed the sum of ten thousand dollars. Any contract made in violation of the provisions of this section shall be void and of no effect.

Meetings, City Hall

SEC. 29. The meetings of the Council shall be held at the City Hall of the city; they shall be public, and a journal of its proceedings shall be kept by the City Clerk under its direction, and the ayes and noes shall be taken and

entered in the journal in the final action upon the granting of franchises, making of contracts, the passage of any ordinance, ordering work to be done or supplies furnished, the ordering of assessments for street improvements, or building of sewers, and in all other case upon the call of any member.

Ordinances, enacting clause

SEC. 30. The enacting clause of all ordinances shall be in these words: "Be it ordained by the Council of the City of Eureka, as follows:"

Ordinance, how amended

SEC. 31. No ordinance shall be amended by reference only to its title, but when any ordinace is amended, the section or sections thereof shall be re-enacted at length as amended.

Ordinance, one subject

SEC. 32. Every ordinance shall embrace but one subject, which shall be clearly indicated in the title. In all cases where the subject is not so expressed in the title, the ordinance shall be void as to the matter not expressed in the title.

Ordinance, how adopted

SEC. 33. No proposed ordinance shall be adopted except by vote taken by ayes and noes, and the names of the members voting for and against the same shall be entered in the minutes.

Motion reconsider

SEC. 34. When any bill is put upon its final passage and fails to pass if a motion is made to reconsider, the vote upon such motion shall not be taken until the next regular meeting of the Council. No bill for the grant of any franchise shall be put on its final passage within thirty days after its introduction.

Ordinance, how passed

SEC. 35. No ordinance shall be passed except by bill. Every bill after it has passed the Council shall be signed by the President thereof, and every bill, which shall have passed the Council and have been thus authenticated, shall be presented to the Mayor for his approval. The Mayor shall return such bill to the Council within ten days (Sundays excepted) after receiving it. If he approve it, he must sign it, and the same shall then become an ordinance; but if he shall disapprove it, he shall return it, with his objection in writing, to the Council. If the bill is not returned with such approval within the time specified, it shall take effect as if he had approved the same.

Ordinance, Mayor veto

SEC. 36. When a bill is returned without the approval of the Mayor, the Council must cause the objections of the Mayor to be entered upon its journals and proceed to reconsider and vote on the same. If, after such consideration, the bill is again passed by an affirmative vote of not less than four members, it shall take effect as if the Mayor had approved the same. If the bill shall fail, on being so considered, to receive four affirmative votes it shall then be finally lost. The vote shall be taken by ayes and noes, and the result shall be entered in the journal of the Council.

Ordinance, how published

SEC. 37. All ordinances must be published in the manner prescribed by the Council.

Ordinance, take effect

SEC. 38. No ordinance passed by the Council shall take effect until ten days after its passage and approval, unless otherwise provided in the enactment.

Offices, consolidating

SEC. 39. The Council shall have power by ordinance adopted at least one month prior to a general municipal election to unite and consolidate certain offices by declaring that:

1. The Assessor elected shall be ex-officio Treasurer.

2. The City Clerk elected shall be ex-officio Treasurer, or ex-officio Treasurer and Assessor.

3. The City Clerk elected shall be ex-officio Tax Collector or Assessor, or ex-officio Tax Collector and Treasurer or Assessor.

4. The Tax Collector elected shall be ex-officio Treasurer or Assessor.

5. The City Engineer elected shall be ex-officio Superintendent of Streets.

Contracts, limit

SEC. 40. No contract for supplies, printing, advertising, stationery, maintenance of prisoners, fuel, street sprinkling, street repairs, or for lighting streets, public buildings, places or offices, or for the supplying of water for the use of the municipality, in any of its departments, shall be made for a longer period than one year; nor shall any contract be made to pay for gas, electric lights or any other illuminating material, nor for the supplying of water for the use of the municipality, in any of its departments, at a higher rate or rates than is charged to any other consumer.

Ordinaces, book form

SEC. 41. The Council shall, during the first year after its organization under this Charter, cause all ordinances then in force to be classified under appropriate heads, and shall provide for the publication of the same in book form. Every officer of the city shall be entitled to one copy of such ordinances, without charge, and every citizen applying for a copy shall be entitled to the same at the cost of publication. The Council shall, every three years after the publication, as herein provided, cause all the ordinances at that time in force to be compiled and shall publish the same subject to the terms and conditions herein expressed. All such publications shall contain the Charter with any amendments made thereto.

Contracts, how executed

SEC. 42. All contracts must be in writing, executed in the name of the city and by an officer authorized to make the same. The form and legality of all contracts shall be submitted to and passed upon by the City Attorney. Every contract must be countersigned by the Finance Committee, numbered and registered in a book kept for that purpose.

Council, powers

SEC. 43. The Council shall have power to pass ordinances:

1. To establish or alter the grades of, and to open, lay out, alter, extend, close, straighten, widen of otherwise improve or regulate streets, alleys, lanes and sidewalks upon the same; determine the width of sidwalks and streets, and the

Street grading

grade of the same, and to provide for acceptance of the streets when constructed and completed in accordance with such regulations as the Council may adopt. Also to open, lay out, construct, alter, widen, extend, repair and vacate walks, crosswalks, avenues, and thoroughfares in or over any plaza. park or grounds, belonging to or under control of the city.

2. To regulate or prohibit traffic and sales in streets, highways and public places; to prevent encroachment upon or obstruction to the same, and to require

Pole line system

their removal.

3. To establish and maintain a pole line system in the city; to compel all telegraph, telephone, electric light and other companies, corporations, firms, associations or persons using wires to place and maintain their wires thereon, and to regulate the use and fix the rental thereof, and provide for the collection of the same from all corporations, companies, firms, associations and persons using the same.

Streets, generally

4. To regulate the erection of poles for or the laying of telegraph, telephone and electric wires in and upon the public streets, or upon or over buildings, the erecting of gas and electric lights therein, the numbering of houses on the streets, the naming of the streets, avenues, public places and thoroughfares; the use of the streets and sidewalks for sign-posts, awnings, awning posts, horse troughs, telegraph posts, telephone posts, electric light towers, electric light posts, and other purposes; the exhibition of banners, placards, or flags, in or across the streets of

from houses or other buildings; public cries, advertising, ringing of bells, steam whistles, and other noises; and the use of streets and public places for foot passengers, animals, vehicles, cars and locomotives.

5. To establish a general and comprehensive system of sewers in the city, and to regulate the building and repairing thereof. Sewers

6. To provide for and regulate street pavements, cross-walks, curbstones, grades, gutters, sewers and cleaning and watering of the streets.

7. To regulate dispensaries, hospitals, markets and other public institutions.

8. To provide for the construction, maintenance, regulation and repair of bridges, wharves, docks, piers, chutes, slips, ferries and public places.

9. To fix, regulate and collect tolls, wharfage and dockage.

10. To regulate the running, moving and anchorage of steamboats, vessels, rafts and other water craft within the waters of the city, and to prevent obstructions to the free navigation of such waters. Boats

11. To make regulations for preventing and extinguishing fires, establishing fire districts, and determining the character of buildings that may be erected therein, and the nature of the materials to be used in the construction, alteration or repair of such buildings, or in repair or alterations of existing buildings within such limits, and for restricting the height of buildings or structures. Fires, regulations

12. To declare what shall constitute a nuisance, and to abate and remove the same. Nuisance

13. To provide and maintain a morgue. Morgue

14. To provide for conducting elections, establishing or changing election precincts and appointing the necessary election officers.

15. To try and remove from office appointees against whom charges have been preferred; and to remove without the prefering of charges any appointee at any time when in the judgment of the Council the public service will be promoted. improved or benefitted thereby.

16. To prohibit or suppress all houses of ill-fame, all occupations, houses, places of amusement, exhibitions and practices which are against good morals, and contrary to public order and decency, or dangerous to the public safety. Public order

17. To regulate or prohibit the sale, keeping, storage and use of powder, fireworks, dynamite, nitro-glycerine and other explosives or combustible material and substances, the places of their manufacture, storage and their transportation. Powder

18. To regulate the maintenance of acid works, slaughter houses, wash houses, laundries, tanneries, livery stables, offensive trades, and all other manufactories, works and business of every description that may endanger the public safety, health or comfort, and to restrict the prosecution therof to such fixed limits as may seem proper, or to exclude such works and business from the city.

19. To regulate the keeping and use of animals; to prevent or regulate the running at large of any animals, to establish a pound, to authorize impounding of animals found running at large, and to authorize the sale, disposition or destruction thereof. Pound

20. To provide for the public printing, and to provide suitable rooms and buildings for the Courts, Boards and officers of the city, and such furniture, fuel, lights, books and stationery and other supplies of any kind, as are or may be necessary for the convenient transaction of public business. Public printing

21. To regulate the construction, repair and use of sewers, sinks, gutters, wells, cesspools, and vaults; to compel the connecting, cleaning or emptying of the same, and to designate the time and manner in which the work shall be done; to provide for the removal of all rubbish, garbage, refuse matter and all material Sewers, garbage, etc.

detrimental to the public health and at such times as it will be best for the public good.

22. To prevent the throwing into any stream, creek, slough, bay or any body of water, from vessels, wharves or other places, any dirt, ballast, ashes, garbage, dead animals or other materials that may obstruct the same or pollute the water thereof.

23. To regulate or prohibit the use of steam boilers, the location of telegraph, telephone and electric light poles and wires, awnings and the construction of entrances to cellars and basements from sidewalks.

Vehicles, licensing

24. To license hackney coaches, cabs, omnibuses, drays, carts and other vehicles used for hire, and to regulate their stands and rates of fare, and to license or suppress runners for railroads, steamboats, taverns or hotels.

Halls, exits

25. To regulate the entrance to, and exit from theaters, lecture-rooms, public halls, churches and public buildings of every kind, and the number and construction of such entrances and exits, and to prohibit the placing of chairs, stools, benches or other obstacles, in the halls, aisles or open places therein.

26. To maintain and regulate a fire alarm, police telegraph and police telephone.

27. To regulate and control the business of pawnbrokers, junk dealers, intelligence offices, and prescribe the mode of conducting the same.

Water rates

28. To fix and determine annually the rates of compensation to be collected by any person, firm, company or corporation in the city, for the use of water supplied to the city, or the inhabitants thereof, and to prescribe penalties for the violation of all ordinances passed in reference to matters contained in this subdivision.

Water

29. To regulate the quality, capacity and location of water and gas pipes, mains, and fire plugs, and to provide for and regulate the construction and repair or hydrants, fire plugs, cisterns, pumps and such other appliances as may be requisite to utilize the distribution of water and gas in the streets, public places and public buildings.

Railroads

30. To regulate the speed and conduct of railroad trains and engines, and require railroad companies either to station flagmen, place gates or viaducts, or place sufficient automatic warning signals and signal bells at all such streets as it may deem proper.

31. To regulate or prohibit the making up of railroad trains on any of its streets, and the stopping of trains on street crossings.

Railroads—streets

32. To grant franchises permitting any person, firm, corporation or company to lay and maintain tracks, and to pass with steam railroads along, upon and across, or elevated above, or placed below any streets of the city; provided that the free use of said streets shall not be unnecessarily obstructed thereby; and such franchises shall be granted only after notice published for thirty days, and by ordinance passed by the vote of four members of the Council. Such grants shall be without prejudice to the rights of the owners of property to compensation for damages.

33. The grant of a franchise shall be a delegation of the right to condemn private property for public uses upon compensation being made therefor as provided by law.

34. To grant the right to construct, and to regulate and control the construction thereof, to railroad corporations and companies of pipes, tubes, conduits, signal bells, warning signs, wires and other electric, telegraph, telephone and mechanical appliances, in, along, over and across the streets; provided, that said

appliances be so constructed as not to interfere with the free use of the sidewalks and streets.

35. To require every railroad company or corporation to keep the streets in repair between the tracks and along and within the distance of two feet upon each side of the tracks occupied by the company or corporation. Railroads—streets

36. To provide for lighting the streets, alleys, public buildings and public grounds, and to construct, purchase, lease, own, control, maintain and operate a system of lighting by artificial gas, natural gas, electricity or other means of illumination; provided, however, no such construction, lease or purchase shall be made unless first authorized by a vote of two-thirds of the electors voting at any general or special election at which the proposition may be submitted. Lighting streets

37. To keep, and, at such time or times as the Council of said city may deem the same necessary for the use at municipal elections therein, to cause to be printed a register, in the manner and form as required by the provisions of chapter three, of title two of the Political Code of the State of California, in which shall be entered the names of the qualified electors of the said city. City Register

38. To require any lots or portions of lots within the city which may be covered with stagnant water a portion of the year to be filled up to such level or grade as will prevent the same from being so covered, and to assess the cost of such filling upon such real estate, and provide that it shall be a lien thereon. Stagnant water

39. To determine and impose fines, forfeitures and penalties for the violation of any ordinance or any of the provisions of this Charter, and to appropriate the same.

40. To make all needful rules to govern the official conduct and duties of all officers of the city, whose duties are not defined by this Charter, to impose additional duties upon those whose duties are defined, and to fix and regulate the charges and fees of all such officers, where the charges, fees and duties are not otherwise fixed, and to compel the payment of all such charges and fees into the City Treasury. Rules, officers

41. To make real estate in said city liable for the construction of sidewalks, crossings and all other street improvements, adjacent thereto, and provide for the forced sale thereof for such purposes. Street work

42. To create, control, regulate, abolish or prohibit cemeteries; to sell or lease lots in those created; to control and regulate interments within the city limits, and to provide for removing human remains from the city. Cemeteries

43. To provide and maintain a City Prison, and to provide for the care, custody, feeding and clothing of city prisoners. City Prison

44. To provide for the proper employment upon any public work, or for the benefit of the city, of all persons convicted of crimes, vagrancy or other misdemeanor. Vagrants

45. To prevent and restrain any riot, or riotous assemblage or disorderly conduct within said city.

46. To provide for supplying the city and its inhabitants with water and to construct, purchase, lease, own, control, maintain and operate its own water supply; provided, however, no such construction, purchase or lease shall be made unless first authorized by a vote of two-thirds of the electors voting at any general or special election at which the proposition may be submitted. Water works

47. To regulate the sale and use of gas and electric lights, and fix and determine the price of gas and electric lights and the rent of gas and electric light meters within the city, and regulate the inspection thereof; and to regulate telephone service and the use of telephones within the city, and to fix and deter- Rates, gas and electric lights

mine the charges for telephones, and telephone service and connections; and the removal and placing underground of any and all telegraphs, telephones or electric wires, or upon the pole line established by the city.

Railroad franchises

48. To grant franchises for the construction of street railroads on and along the streets of the city; provided, that whenever application is made for such franchises the Council shall, by resolution, cause a notice of such application to be published for thirty days, and shall in said notice specify the route along which it is proposed to construct such road, and shall offer to grant the franchise to the persons, company or corporation that shall agree to pay semi-annually the largest per centum of the gross receipts of such road, according to a verified statement of the same; and provided further, that in all grants of franchises for street railroads it shall be made a condition that single fares of such road shall not exceed five cents, and that only such rails be laid down as are of the most approved rail pattern for street railways operated by horses, mules, cables or other motor. The Council may reject all bids, and may refuse to grant a franchise for the proposed route; and in case no bids are made, may in their discretion grant a franchis for such period as may be deemed expedient. Fanchises for street railroads to be operated by horses or mules shall not exceed twenty-five years.

49. To require any land or buildings to be cleansed at the expense of the owner or occupant; and upon his default may do the work and assess the expense upon the land or building, and provide that it shall be a lien thereon.

Licensing business

50. To provide for licensing any or all business not prohibited by law; to establish and regulate the issuing and granting of municipal licenses, and the collection of license taxes.

City Hospital

51. To establish a City Hospital, and to provide for its maintenance.

Public Parks

52. To provide and maintain all public buildings, parks, or squares, necessary or proper, for the use of the city, and to acquire lands therefor, and for other public uses.

53. To provide for the execution of all trusts confided to the city.

Taxes

54. To levy and collect taxes and assessments on all property within the city, both real and personal, made taxable by law for State or county purposes.

55. To offer rewards, not exceeding five hundred dollars, for the arrest and conviction of any person or persons who may have committed a felony in said city.

56. To establish and maintain such poorhouses, industrial schools, houses of correction or reformation, workshops, homes for confirmed inebriates, and such other institutions as may be deemed proper, and to provide for the support, maintenance and management of the same.

57. To regulate the custody, leasing and sale of all the property of the municipality, and such lost, stolen, or unclaimed property as may be in the possession of the police or other officers of the city.

Processions

58. To regulate all parades, processions, and public assemblages upon the streets, and to determine what parades, processions and public assemblages thereon shall not be lawful, and declare the same a nuisance.

Fire Department

59. To regulate and maintain a Fire Department; and to regulate and maintain a Police Department.

60. To make all ordinances, by-laws, rules, and regulations necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Charter or by general laws in said city.

Police power

61. To make and enforce all such local, police, sanitary, and other regulations as are not in conflict with general laws and provisions of this Charter.

ARTICLE IV.

EXECUTIVE DEPARTMENT—OF THE MAYOR.

Mayor

SECTION 44. The Mayor shall be the chief executive officer of the city. He shall be at least twenty-six years of age, and shall have been a citizen of the State and a resident and qualified elector of the city for the five years next preceding the day of his election.

SEC. 45. The Mayor is the presiding officer of the Council, must sign the journals thereof, decide by his vote all tie votes, and must sign the warrants on the City Treasurer.

Mayor, duties

SEC. 46. He shall vigilantly observe the official conduct of all public officers, and take note of the fidelity and exactitude, or the want thereof, with which they may execute their duties and obligations, especially in the collection, administration and disbursement of the public funds and property; and the books, records and official papers of all departments, boards, officers, and persons in the employ and service of the city shall at all times be open to his inspection and examination. He shall take special care to see that the books and records of the said departments, boards, officers, and persons are kept in legal and proper form; and any official defalcation or wilful neglect of duty, or official misconduct which he may discover or which shall be reported to him shall be laid by him before the Council, City Attorney, or District Attorney of the county, in order that the public interests shall be protected, and the person in default be proceeded against according to law. He shall from time to time communicate to the Council, in writing, a statement of the affairs of the city, and shall recommend such measures connected with the public health, cleanliness, and ornament of the city, the improvement of the government and finances and other matters, as he may deem proper or beneficial to its interests. He shall see that the laws of the State, the provisions of this charter, and the ordinances of the city are observed and enforced.

Mayor shall appoint expert

He shall appoint a competent person or persons, expert in matters of book-keeping and accounts, to examine the books, records, condition, and affairs of every department, board, or officer, at least once in every year, and enforce such examination. Any person refusing to submit to or permit such examination, or purposely delaying or impeding the same, may be suspended from office by the Mayor and removed for malfeasance in office. He shall have a general supervision over all the departments and public institutions of the city, and see that they are honestly, economically, and lawfully conducted. He shall take all proper measures for the preservation of public order and the suppression of all riots and tumults, for which purpose he is authorized and empowered to use and command the police force, and if such police force is insufficient, it shall be his duty to call upon the Governor for military aid in the manner provided by law, in order that such riots, or tumults, may be properly and effectively suppressed.

Mayor, special meetings

SEC. 47. The Mayor may call special meetings of the Council. He shall be duly notified by the City Clerk of all special meetings of the Council when called by its members, and the time and place of all regular or special meetings of the standing or special committees thereof, and shall have the right and privilege of being present at all such meetings.

Treasury, counting money in

SEC. 48. The Mayor shall, at least once a month, together with the President of the Council, and the City Attorney, count the cash in the City Treasury, and see that it corresponds with the books of the Treasurer, and report the result of such count to the Council.

SEC. 49. The Mayor shall see that all contracts and agreements with the city are faithfully kept and fully performed; and to that end shall cause legal proceedings to be commenced and prosecuted in the name of the city against all persons, companies or corporations failing to fulfill their agreements or contracts, either in whole or in part. It shall be the duty of every officer and person in the employ or service of the city, when it shall come to his knowledge that any contract or agreement with the city, or with any officer or department thereof, or relating to the business of any officer, has been or is about to be violated by the other contracting party, forthwith to report to the Mayor all facts and information within his possession concerning such matter; and a willful failure so to do shall be cause for the removal of such officer or employe as in case of malfeasance in office.

Mayor may suspend officer

SEC. 50. The Mayor shall have the general supervision of all city officers, elected or appointed; he shall have power to suspend any city officer for a dereliction, neglect or non-performance of duty, and shall report the same to the Council. If the Council approve of the suspension they shall declare the office vacant, or continue the suspension for such time as they deem proper; and such vacancy shall be filled as provided for by the provisions of this charter.

Mayor's office, vacancy in

SEC. 51. When a vacancy occurs in the office of Mayor, it shall be filled for the unexpired term by the Council, assembled for that purpose. The person selected shall possess the qualifications hereinbefore prescribed for Mayor, and a member of the Council during the term for which he shall have been elected or appointed shall be ineligible to fill such vacancy.

Non-elective officers, how appointed

SEC. 52. The Mayor, by and with the consent of the Council, shall appoint all officers of the city, whose election or appointment is not otherwise provided for in this charter, or by law. When a nomination is made to the Council, action shall be taken thereon within fifteen days thereafter, and in case the officer nominated is not confirmed, the Mayor shall within ten days thereafter nominate another, and may continue doing so until the place is filled. No member of the Council shall ever suggest, request the appointment of, appoint, or nominate any officer, clerk, or employe to any place in the city government, except to fill a vacancy in the office of Mayor, elect the President of the Council, and necessary election officers.

Council not to request appointment

SEC. 53. The Mayor shall not, during the term for which he shall have been elected or appointed, hold any other office or be a member of any board or commission connected with the Federal, State, or City government, except ex-officio Harbor Commissioner of the port of Eureka, and except also as in this charter otherwise provided. Nor shall he ever receive from the city, for any cause or reason, any other or greater compensation than the salary allowed him as Mayor.

Mayor ex-officio Harbor Commissioner

SEC. 54. The Mayor may, when authorized by the Council so to do, appoint a Clerk, to known as Mayor's Clerk. The Mayor shall perform all such other duties as may be prescribed by law or ordinance.

Mayor's clerk

ASSESSOR.

SECTION 55. The Assessor shall have been a citizen of the State, and a resident and qualified elector of the city, for at least five years next before his election. It shall be his duty to prepare, on or before the first Saturday in May of each year, or at such other time as may be directed by ordinance, and present to the Council, with his certificate of its correctness, a list of all the real and personal property within the city taxable for State and county purposes, with a true valuation thereof, which said assessment list shall conform as near as practicable when not inconsistent with the provisions of this charter, to the assessment list required by law to be made by the County Assessor for State and County purposes; to be

Assessor, powers and duties

present at the sessions of all Boards of Equalization mentioned in this charter; to furnish to said Board such information as may be required, and to perform such other services in reference to the assessments of property in the city, or otherwise appertaining to his office as the Council shall require or direct. During the session of the Board of Equalization, the Assessor shall enter upon the assessment list all the changes and corrections made by the Board, and may assess and add to said list any property in such city not previously assessed. He shall make, or procure to be made, all necessary abstracts to be used in making up the assessment of property within the city, and after the taxes have been duly levied by the Council, shall make the proper calculations, and extend upon the assessment book the amount of taxes due from each person, firm or corporation, and deliver said book to said Council, so completed, on or before the second Saturday in May of each year, or such other time as may be directed by ordinance, and at the expiration of his term of office, he shall deliver to his successor in office all books, maps, plats, description of property and all other things appertaining to his said office.

In the assessment and listing of property for taxation, and in the collection of tax upon personal property not secured by lien upon real estate, and poll taxes, he shall have and may exercise the same powers as are conferred by law upon County Assessors, and shall receive therefor the same fees and compensation.

TREASURER

SECTION 56. The Treasurer shall have been a citizen of the State, and a resident and qualified elector of the city, for at least five years next before his election. Treasurer, powers and duties

It shall be his duty to receive and keep all moneys that shall come to the city by taxation or otherwise, and to pay the same out on demands legally audited in the manner provided by law, and without such auditing he shall disburse no public moneys whatever, except the principal and interest on the municipal debt, when payable.

He shall keep an account of all his receipts and expenditures, under such rules and regulations as may be prescribed by ordinance. He shall make a monthly statement to the Council of all his receipts and expenditures of the preceding month, and shall do all things required of him by law, or ordinance of said city. As soon as suitable vaults and safes are provided, the Treasurer shall keep therein all moneys belonging to the city; he shall not thereafter, under any circumstances, deposit with or loan to any person, corporation, or bank, any of the moneys of the city, or allow the same (except in payment of demands against the city) to pass out of his custody.

TAX COLLECTOR.

SECTION 57. The Tax Collector shall have been a citizen of the State, and a resident and qualified elector of the city, for at least five years next before his election. It shall be his duty to receive and collect all city taxes, general and special; he shall also collect all city licenses, water rates, harbor dues, cemetery receipts, and such other branches of the city revenue not otherwise herein provided for, as the Council may direct. He shall keep proper books, showing all moneys collected by him as Tax Collector, and also a book which shall contain a record of every deed, given by or on behalf of the city for real estate, sold for delinquent taxes or assessments, which book shall be properly indexed, and shall be at all suitable times subject to public inspection, and do and perform such other duties as may be required of him by law or ordinance of said city. Tax Collector, powers and duties

He shall pay all moneys collected by him, as Tax Collector, into the City

Treasury weekly. The time and manner of collecting all licenses shall be provided for by the Council.

CITY ATTORNEY

City Attorney, powers and duties

SECTION 58. The City Attorney shall have been an elector of the city at least two years next before his election; he shall be an attorney and counselor at law, duly admitted to practice by the Supreme Court of the State of California, shall have actually been engaged in the practice of his profession for a period of at least five years next before his election. It shall be his duty to prosecute in behalf of the people all criminal cases arising upon violations of the provisions of this charter, and city ordinances, and to attend to all suits, matters and things in which the city may be legally interested; provided the Council shall have control of all litigation of the city, and may employ other attorneys to take charge of any litigation, or to assist the City Attorney therein.

He shall give his advice or opinion in writing whenever required by the Mayor, Council, Board of Education, or other city officers; he shall be the legal adviser of all city officers; he shall approve the form of all bonds given to, and all contracts made with the city; he shall, when required by the Council or any member thereof, draft any and all proposed ordinances for the city, and shall do and perform all such things touching his office as by the Council or Mayor may be required of him.

CITY CLERK

City Clerk, powers and duties

SECTION 59. The City Clerk shall have the custody and be responsible for the corporate seal, and all books, papers, records and archives belonging to the city, not in actual use by other officers, or otherwise by special provision committed to their custody; he shall be present at each meeting of the Council during its sessions, and keep a journal of all proceedings; he shall keep separate books in which, respectively, he shall record all ordinances and contracts, and official bonds; he shall keep all his books properly indexed and open to public inspection when not in actual use; he shall make out, sign and deliver to the City License Collector all licenses other than building permits; he shall draw all warrants on the City Treasurer, countersign the same, and perform such other duties as are, or shall be, imposed by this charter or by ordinance. He shall make no charge for taking affidavits or administering oaths in matters relating to the business of the city.

CITY ENGINEER

City Engineer, powers and duties

SECTION 60. In addition to other duties imposed upon him by this charter or by ordinance of the Council, the City Engineer shall:

1. Make all surveys, inspections and estimates required by the Council;

2. He shall examine all public work done under contract and report thereon in writing to the Council.

3. He shall, on application of any person owning or interested in real property in said city, for a survey or plat of such property, make and deliver the same upon the payment of his fees therefor.

4. He shall be the custodian of and responsible for all maps, plats, profiles, field notes, and other records and memoranda belonging to the city pertaining to his office, and the work thereof; all of which he shall keep in proper order and condition, with a full index thereof, and all of which he shall turn over to his successor.

5. All maps, plats, profiles, field notes, estimates, and other memoranda or surveys and other professional work, made or done by him, or under his direction or control, during his term of office for the city, shall be the property of the city.

SUPERINTENDENT OF STREETS.

SECTION 61. The Superintendent of Streets shall have been a citizen of the State, and a resident and qualified elector of the city at least five years next before his election. He shall have the general care of and frequently inspect the streets of the city. He shall receive and investigate all complaints as to their condition, and shall have charge of the enforcement of all ordinances pertaining to street obstruction. He shall frequently inspect all public works pertaining to street improvements, while the same are in course of construction; inspect and approve or reject all material used in such construction, whether done under contract or otherwise; and shall at once report to the Council in writing, all deviations from contracts, and use of improper material, and bad workmanship in such works; and shall have power, pending investigation, to stop all work thereon. He shall perform such other duties as are herein elsewhere prescribed or imposed by ordinance. He shall devote his entire time to the duties of his office. Superintendent of Streets, powers and duties

OFFICIAL OATHS.

SECTION 62. Every officer provided for in this charter shall, before entering upon the duties of his office, take, subscribe, and file with the City Clerk the following oath: Official oaths

"I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of ———— to the best of my ability."

OFFICIAL BONDS.

SECTION 63. Every officer of the city, the amount of whose bond is named in this section and every other officer required to do so by the Council, shall, before entering upon the duties of his office, and within ten days after notice of his election or appointment, or before the expiration of fifteen days from the commencement of his term of office when no such notice has been given, file his official bond and oath of office; said bond shall be made payable to the City of Eureka, be signed by at least two sufficient sureties, and be conditioned for the faithful performance of the duties of the office. All official bonds, except those of members of the Council shall be approved or rejected by the Council by an order entered upon the minutes and by the indorsement of the word "Approved" or the word "Rejected" on the bond, with the date of the approval or rejection, signed by the City Clerk and presiding officer of the Council. Official bonds

The official bonds of the members of the Council shall be approved by the Mayor. All official bonds shall be filed and kept in the office of the City Clerk, and must also be forthwith recorded by him in a book kept for that purpose. The official bond of the City Clerk, after recording, shall be filed and kept in the office of the Treasurer. The Council may at any time require an additional amount, or new sureties upon any official bond which it may determine insufficient, and must require an additional bond or new sureties whenever a surety thereon shall die, or become insolvent, or cease to be a resident of the State. If such additional bond or additional security be not given, the Council must declare the office vacant, and as soon as such declaration is made the office becomes vacant. No official bond shall be approved unless the sureties thereon shall justify in the manner provided for in the Political Code for the justification of sureties on official bonds of county officers; and all persons offered as securities on official bonds may be personally examined on oath as to their qualifications by the officers whose duty it is to approve the bond. The amounts in which the respective officers shall execute official bonds shall be Council to approve

Bonds, amount of

as follows:

The Mayor, five thousand dollars;
The Assessor, five thousand dollars;
The Tax Collector, ten thousand dollars;
The Treasurer, forty thousand dollars;
The City Attorney, two thousand five hundred dollars;
The City Clerk, two thousand five hundred dollars;
The City Engineer, two thousand five hundred dollars;
The Superintendent of Streets, two thousand five hundred dollars;
The Chief of Police, five thousand dollars;
Captains and Sergeants of Police and policemen, one thousand dollars;
Chief Engineer of Fire Department, two thousand five hundred dollars;
City Physician, two thousand five hundred dollars; and
Members of the Council, two thousand five hundred dollars each.

OFFICIAL SALARIES.

Salaries of officers

SECTION 64. The compensation of the officers and employes of the city shall be per annum as follows:

The Mayor, three hundred dollars;
The Assessor, eight hundred dollars;
The Treasurer, five hundred dollars;
The Tax Collector, six hundred dollars;
The Police Judge, seven hundred and fifty dollars;
The City Attorney, six hundred dollars;
The City Clerk, six hundred dollars;
The City Engineer, eight dollars per diem during the time actually employed.
The Superintendent of Streets, nine hundred dollars;
The Chief of Police, twelve hundred dollars;
Captains and Sergeants of Police, eight hundred and forty dollars;
Other members of the police force, eight hundred and forty dollars;
Chief Engineer of the Fire Department, three hundred dollars;
City Physician, two hundred and forty dollars; and
Each Member of the Council, three hundred dollars.

Salaries, when payable

All salaries shall be payable in equal monthly installments. The salaries of all other officers, and compensation of all employes other than those herein named, except where otherwise expressly provided in this charter, shall be fixed by the Council.

Salaries, increase of

SEC. 65. The Council may at any time, by ordinance for that purpose, increase or decrease the compensation of officers and employes as herein fixed; provided, no such change in the amount of compensation of any office held for a definite term shall take effect during the term of the then incumbent of the office.

Educational Department

SEC. 66. The compensation of the officers and employes of the Educational Department shall be paid out of the School Fund; of the Fire Department, out of the Fire Department Fund; of the Police Department, out of the Police Fund; and of other officers and employes out of the General Fund.

Salaries, offices united

SEC. 67. Whenever the Council consolidates and unites one or more offices, the person holding the office, and to which the other or others are made ex-officio, shall receive the salary provided for that office, together with one-half of the salary or salaries provided for the ex-officio office or offices.

ANNUAL REPORTS OF OFFICERS.

Annual reports

SECTION 68. It shall be the duty of the Mayor, Assessor, Treasurer, Tax Collector, City Attorney, City Clerk, City Engineer, Superintendent of Streets, City Physician, City School Superintendent, Police Judge and Chief of Police, each to present to the Council at its first meeting in January of each year, a report for the preceding year, ending the thirty-first day of December last, which shall show as follows:

1. The Mayor shall, in addition to his report as Mayor, inform the Council of the condition of the police force, the number of arrests made, the offense charged, and how disposed of, the penalties inflicted, and the amount of fines, and from whom collected; and to that end he may require such reports from the Police Judge and Chief of Police as he may deem necessary.

2. The Assessor shall in his report show the amount of personal property taxes collected by him, the number and amount of poll and street and alley taxes collected, together with the amount of any fees which he may have received on account of such collection in each case.

3. The Treasurer shall show, in his report, specifically the amounts of all indebtedness of the city; of money received by him during the year, the date of the receipt thereof, and from whom; the amount paid out, when and to whom and the date and number of the demand on which the respective amounts are paid.

4. The Tax Collector shall report the amount of money received, and on what accounts.

5. The City Attorney shall, in his report, present an abstract of all actions and proceedings in the Supreme and Superior Courts, where the city is an interested party; and shall show what cases have been disposed of during the year, and in what manner, and the condition of those remaining on the calendar.

6. The report of the City Clerk shall show the number of licenses issued, and for what amount.

7. The report of the City Engineer shall show the character, cost and condition of all public works and improvements in course of construction during the year.

8. The Superintendent of Streets shall report upon the condition of the streets of the city and the improvements of the same during the year, and shall show what action was taken by him in the enforcement of ordinances pertaining to street obstructions, and in regard to deviations from contracts in the construction of public works.

9. The City Physician shall show the condition of the health of the city during the year; the number and character of case of contagious diseases in said city during said time; the number of deaths therefrom; the number of deaths from all causes, the number of births, and other matters of interest pertaining to his office.

10. The report of the School Superintendent shall show the number and condition of the public schools, the number of teachers and their salaries, and the number of pupils in attendance.

11. The Police Judge shall report the number of cases commenced, their character, and how disposed of; the number and character of cases then pending; the amount of fines imposed; the amount of such fines paid or collected, and what disposition he has made of the same.

12. The Chief of Police shall report the number of arrests made, and by whom; the offenses charged, and how disposed of, and all money and property received from prisoners and the disposition of the same.

ARTICLE V.

JUDICIAL DEPARTMENT—COURTS.

Police Court

SECTION 69. The judicial power of the city shall be vested in a Police Court, and in such Justice's Courts as are or may be provided for by law.

Police Court jurisdiction

SEC. 70. The Police Court has jurisdiction of the following public offenses committed within the city boundaries:

1. Petit larceny.

2. Assault and battery, not charged to have been committed upon a public officer in the discharge of his official duty, or with intent to kill;

3. Breaches or the peace, riots, affrays, committing willful injury to property and all misdemeanors punishable by fine not exceeding five hundred dollars, or by imprisonment not exceeding six months, or by both such fine and imprisonment; and,

4. Of proceedings respecting vagrants, lewd or disorderly persons.

SEC. 71. The Police Court also has jurisdiction:

1. Of all proceedings for the violation of any ordinance of the city, both civil and criminal.

2. Of any action for the collection of taxes and assessments levied for city purposes; or for the erection or improvement of any school house or public buildings; for the laying out or opening or improving any public street or sidewalk, lane, alley, bridge, wharf, pier or dock; or for the purchase of or the improvement of any public ground; or for any and all public improvements made and ordered by the city within its limits, when the amount of the tax or assessment sought to be collected against the person assessed is less than three hundred dollars; but no lien upon the property taxed or assessed for the non-payment of the taxes or assessments can be foreclosed in any such action;

3. Of an action for the collection of money due to the city or from the city to any person, when the amount sought to be collected, exclusive of interest and costs, is less than three hundred dollars;

4. For the breach of any official bond given by any city officer, and for the breach of any contract, and any action for damages in which the city is a party or is in any way interested; and all forfeited recognizances given to or for the benefit or in behalf of the city; and upon all bonds given upon any appeal taken from the judgment of the Court in any action above named where the amount claimed, exclusive of costs, is less than three hundred dollars;

5. For the recovery of personal property belonging to the city, when the value of the property (exclusive of the damages for the taking or detention) is less than three hundred dollars; and,

6. Of an action for the collection of any license required by any ordinance of the city.

Justice of the Peace to preside

SEC. 72. In all cases in which the Judge is a party, or in which he is interested, or when he is related to either party, by consanguinity or affinity within the third degree, and in case of his sickness or inability, the Police Judge may call in a Justice of the Peace residing in the city to act in his place and stead.

SEC. 73. Police Courts are always open for the transaction of business, except on non-judicial days.

SEC. 74. Proceedings in the Police Courts in criminal actions for offenses not triable in such Courts must be had in conformity with the provisions of part two, title three, chapter seven of the Penal Code.

SEC. 75. Proceedings in the Police Court in criminal actions triable in such

Courts are regulated in part two, title eleven, chapter one of the Penal Code.

SEC. 76. Proceedings in the Police Courts in civil actions are regulated by part two, title twelve of the Code of Civil Proceedure.

NOTE—See State. 1895, p. 90, establishing a Police Court in Eureka.

ARTICLE VI.

REVENUE AND TAXATION.

Taxation

SECTION 77. The Council shall annually fix the rate of taxation to be levied and levy the taxes upon all property, both real and personal, in the city, necessary to raise sufficient revenue to carry on the various departments of the municipal government for the current fiscal year; provided, that the rate of taxation so levied shall not exceed in any one year one dollar for each one hundred dollars upon the assessed value thereof, except for the payment of the principal and interest of the bonded debt of the city, if any.

Dollar limit

Funds to be established

SEC. 78. The Council shall, before fixing the rate of the annual city tax, establish by ordinance separate funds representing the several funded obligations of the city, if any, and the several departments requiring municipal expenditures, including a General Fund, and the percentage of said levy shall be named for each fund and the whole amount of tax and revenue of the city apportioned accordingly; and no transfers shall be made except of balances in excess, or from the General Fund to meet deficiencies, or to provide for the redemption of city bonds, if any.

City taxation to conform to State law

SEC. 79. Except as in this charter otherwise provided, the assessment of property taxable in the city for municipal purposes, the equalization of assessments, the collection of taxes, the sale of property for unpaid taxes, and the redemption of property sold for taxes, shall be made and had in the same form and manner, and with like effect as now or may be hereafter provided by law for the assessment of property, equalization of assessments, levy and collection of taxes, and sale of property for unpaid taxes for State and County purposes, and redemption thereof, and all provisions of law applicable to such assessment, equalization, levy, collection, and sale for State and County purposes are hereby applied to, and shall be the law governing such assessment, equalization, levy, collection and sale for municipal purposes, and the respective officers of the city shall have, possess, and perform the same powers and duties in all matters concerning revenue and taxation for municipal purposes as are by law conferred or imposed upon county officers in matters concerning revenue and taxation for State and County purposes and except as in this charter otherwise provided, and to that end—

First—All powers and duties so by law conferred or imposed upon the County Assessor are hereby conferred and imposed upon the City Assessor.

Second—All powers and duties so by law conferred or imposed upon the Board of Supervisors are hereby conferred or imposed upon the Council.

Third—All powers and duties so conferred or imposed upon the District Attorney are hereby conferred and imposed upon the City Attorney.

Fourth—All powers and duties so by law conferred or imposed upon the County Tax Collector are hereby conferred and imposed upon the City Tax Collector.

Fifth—Alll powers and duties so by law conferred or imposed upon the County Treasurer are hereby conferred upon the City Treasurer.

Sixth—All powers and duties so by law conferred or imposed upon the County Clerk, County Recorder, or County Auditor are hereby conferred and imposed upon the City Clerk.

Council, ordinances

SEC. 80. The Council shall regulate by ordinance the date of making the

annual tax levy; the time, manner and place of payment of all taxes; when they shall become delinquent; the time when they shall sit as a Board of Equalization; the date of all sales of property for delinquent taxes; and the time, form, and manner of making and giving all notices, if any, relative to any of such subjects.

Assessor, abstracts

SEC. 81. The Assessor must take the abstract provided for in section three thousand six hundred and seventy-eight of the Political Code. Should any such abstract or list be found to contain any instrument relating to lands situated partly within and without the city, it shall be the duty of the Assessor to determine the proportion of valuation of such instrument to be assessed in the city, and assess the same accordingly.

Personal property rates

SEC. 82. The Assessor shall be governed as to the amount of taxes to be by him collected on personal property by the city tax rate of the previous year.

Tax lien

SEC. 83. Every tax due upon personal property is a lien upon the real property of the owner thereof; every tax due upon real property is a lien against the property assessed, and every tax due upon improvements upon real estate assessed to others than the owner of the real estate is a lien upon the land and improvements, and which said several liens attach as of the first Monday of March in each year at twelve o'clock M.

Poll tax

SEC. 84. Every male inhabitant of said city over the age of twenty-one years and under sixty years of age, except paupers, insane persons, and Indians not taxed, shall annually pay a poll tax of one dollar; provided, the Council may exempt the members of any volunteer fire company, or exempt firemen, from the payment thereof.

Road poll tax

SEC. 85. The Council shall annually, and at the same time and in the same manner that other taxes are levied and collected, levy and collect from every male inhabitant of said city, over the age of twenty-one years and under fifty-five years of age, a road poll tax of two dollars; provided, the Council may exempt the members of any volunteer fire company, or exempt firemen from the payment thereof. Said taxes shall be kept in a fund denominated "The Street and Alley Fund," and which shall be used exclusively for the streets and alleys of said city.

Bonding rate not to exceed five per cent

SEC. 86. Whenever the Council shall determine that the public interest requires the construction, or acquisition, or completion of any permanent municipal building, work, sewer, property, water or light system, wharves, or improvements, the cost of which, in addition to the other expenditures of the city, will exceed the income and revenue provided for in any one year, they may, by ordinance, submit a proposition to incur a debt for such purpose, and proceed therein as provided in section eighteen of article eleven of the Constitution of this State and general law; provided, that such indebtedness shall not bear more than five per cent interest per annum, and that no bond issued therefor shall be sold for less than par value and to the highest bidder after advertising for sealed proposals therefor. Nor shall any such bonds be issued or sold during any one year in excess of the actual expenditures incurred in that year.

ARTICLE VII.

EDUCATIONAL DEPARTMENT.

School Department

SECTION 87. The government of the School Department of the city shall be vested in a Board of Education, to consist of five members; to be called School Directors, and who shall receive no compensation. One School Director for each

Director for each ward

ward shall be elected by the qualified electors thereof at the regular municipal election, and shall hold office for a term of four years, and until their successors are elected and qualified; provided, however, that the Directors elected at the first

election after the adoption of this charter, for the odd-numbered wards, shall hold office for two years only.

Directors, President

SEC. 88. The School Directors shall meet upon the second Monday in July next after their election and organize by electing one of their number President, whose term of office shall be two years.

Meetings

The Board shall hold regular meetings at least once in each month, at such time as shall be determined by its rules, and in the place provided for them by the City Council. Special meetings may be called at any time by the President or any two members of the Board. A majority of the members shall constitute a quorum for the transaction of business, and an affirmative vote of three members shall be necessary to pass any measure. The sessions of the Board shall be public, and its records open to public inspection.

Rules

The Board may determine the rules of its proceedings, and the ayes and noes shall be taken, when demanded by any member, and entered on the records of the Board.

Vacancy

Any vacancy occurring in the Board shall be filled, until the next municipal election, by a majority vote of the remaining Directors, and in case of a tie vote, the Mayor of the city shall have the casting vote. The appointee shall be a resident of the ward in which the vacancy occurred.

SEC. 89. The powers and duties of the Board of Education are as follows:

Powers and duties

1. To establish and maintain public schools, including kindergarten and high schools, to change, consolidate and discontinue the same.

2. To manage and control the school property.

3. To employ, pay, and dismiss teachers, janitors, School Census Marshals, and such persons as may be necessary to carry into effect the powers and duties of the Board, and to fix, alter, allow, and order paid their salaries or compensation, and to withhold for good and sufficient cause, the whole or any part of the salary or wages of any person or persons employed as aforesaid; provided, that no election of a teacher or other person employed by the Board shall be construed as a contract either as to duration of time or amount of wages of such person.

4. To make, establish, and enforce all necessary rules and regulations for the government and progress of public schools, and for the investigation of charges against any person in the employ of the department and to carry into effect the laws relating to education.

5. To establish and regulate the grade of schools and determine the course of study, the mode of instruction, and what text-books, other than those published by the State shall be used in said schools; but any text-books adopted by the Board shall not be changed within a period of four years after its adoption.

6. To provide for the school department all necessary supplies, to-wit; ink, pens, tablets, registers, blank reports, promotion cards, crayons, writing paper, rulers pencils, diagrams, maps, globes, chemical and mechanical apparatus and certificates of graduation, fuel and lights, and incur such other incidental expenses as may be necessary for the welfare of the department.

7. To build, alter, repair, rent and provide school houses, and to furnish them with proper school furniture, apparatus and appliances, and to insure any and all school property.

8. To purchase, sell, lease, or exchange school lots; to take charge of any and all real estate and personal property that may have been, or that may be hereafter acquired for the use and benefit of the public schools of the city, and to make, in the name of the city, conveyances of all such real estate belonging to the city and sold by the Board of Education; provided, that no real estate shall be bought,

sold, or exchanged without the concurrence of four-fifths of the members of the Board, and the consent of the City Council, evidenced by ordinance; and provided further, that the proceeds of such sale of real estate or personal property shall go to the General School Fund of the city.

9. To grade, fence, and improve all school lots.

10. To sue for any and all lots, land and property belonging to, or claimed by, said School Department; and to prosecute and defend all actions at law, or in equity, necessary to recover and maintain the full enjoyment and possession of said lots, land, and property.

11. To establish regulations for the just and equal disbursement of all moneys belonging to the Public School Fund.

12. To prohibit any child under six years of age from attending the public schools.

13. To examine and allow, in whole or in part, every demand payable out of the school funds, or to reject any such demand, for good cause, of which the Board shall be the sole judge.

Non-resident children

14. To admit non-resident children to any of the departments of the schools, at their discretion, upon the payment at such time as the Board may direct for tuition fees, to be fixed by the Board.

15. To dispose of at public or private sale, such personal property as shall be no longer required by the department.

16. To exclude from the schools and school libraries all books, publications, or papers of a sectarian, partisan, or denominational character.

Books for poor children

17. To furnish books for children of parents unable to furnish them, and all books so furnished shall belong to the city, and shall be kept in the libraries of the schools when not in use.

18. To use and apply the school funds of the city for the purposes herein named, and for no other purposes whatever.

19. And generally to do and perform such other acts as may be required by general law applicable to the city, and as may be necessary and proper to carry into force and effect the powers conferred on said Board, and to increase the efficiency of the public schools in the city.

Course of study

SEC. 90. It shall be the duty of the Board to prescribe a course of study that will fit and prepare the students therein to enter any of the departments of the State University. Such course shall be known as the High School Course.

Board to visit schools

SEC. 91. Each member of the Board shall visit every school in the city at least once in each term, and examine carefully into its management, condition, and wants.

City Superintendent

SEC. 92. The Board of Education shall elect by ballot a City Superintendent of Schools, whose term of office shall be one year, unless sooner removed for cause by a vote of the majority of the members, after a full investigation.

City Superintendent's duties

The City Superintendent of Schools shall give his time and attention to the duties of his office, subject to the regulation of the Board of Directors. He shall have all the privileges of a member of the Board, except the right to vote. He shall act as Secretary and book-keeper of the Board and perform all clerical duties required by said Board. In the absence of the City Superintendent of Schools, the Board may appoint one of its members to act as Secretary.

Teachers' qualifications

SEC. 93. The City Superintendent of Schools and teachers of the public schools shall be experienced teachers, and shall possess the qualifications required by the Board of Education of Humboldt County, and such other qualifications as the Board of Education may prescribe.

Oaths

SEC. 94. The City Superintendent of Schools, and each member of the Board, shall have power to administer oaths and affirmations in all matters connected with the department.

Contracts

SEC. 95. All contracts for building shall be awarded to the lowest bidder therefor, furnishing adequate security, to be determined by the Board, after due public notice, published for not less than ten days in one daily paper of the city.

SEC. 96. Any member of the Board of Education, or any person officially connected with the School Department, or drawing a salary from the Board, who while thus drawing such salary, upon investigation by the Board, or by any special committee that may be appointed by the Council, shall be found to be interested directly or indirectly in, or to have gained any advantage or benefit from any contract payments or any purchases of any kind which have been or are to be made in any part from moneys derived from the School Fund or raised by taxation or otherwise, for the support of the public schools shall forfeit his office, and the Board shall thereupon declare such office vacant.

Thirty cent limit

SEC. 97. The Board of Education shall estimate the amount necessary, in their judgment, to carry on the public schools for the next school year, and shall report the same to the Council before the annual tax levy be made. And thereupon the Council shall levy a rate of tax for school purposes sufficient to raise the amount deemed necessary by the Council, not to exceed thirty cents on the one hundred dollars valuation of the taxable property of the city as assessed.

Board must publish paper

SEC. 98. The Board shall cause to be published in January and July of each year, in some daily newspaper, printed and published in the city, a tabulated statement showing the income and resources of the School Department, and the general expenditures for such school purposes, together with such other information as will show the general condition of the schools, and the work accomplished by the department for the previous six months.

School fund

SEC. 99. The Public School Fund of said city shall consist of all moneys received from the State and County School Fund, of all moneys arising from taxes which shall be levied by the City Council for school purposes; of all moneys arising from the sale, rent, or exchange of any school property; and of such other moneys as from any source whatever may be paid into the School Fund, which fund shall be kept separate and distinct from all other moneys, and shall only be used for school purposes, under the provisions of this charter. No fees or commissions shall be allowed or paid for assessing, collecting, keeping, or disbursing school moneys; and if at the end of the fiscal year any surplus remains in the School Fund, such surplus money shall be carried forward to the School Fund of the next fiscal year, and no part of the School Fund shall be for any purpose, or in any manner whatever diverted or withdrawn from any such fund, except as in this charter provided.

Claims, how paid

SEC. 100. All claims payable out of the School Fund shall be filed with the Secretary of the Board, and shall be approved by a majority of all the members elected to said Board, upon a call of ayes and noes, which shall be recorded. After claims have been approved, as herein mentioned, the Secretary of said Board shall draw a warrant upon the City Treasurer for the payment thereof, which warrant shall be signed by the President and countersigned by the Secretary. All demands for salaries of teachers and compensation of janitors shall be payable monthly in the same manner, without presentation of claims therefor.

SEC. 101. All demands authorized by this article, and by the Board, approved as aforesaid, shall be paid by the City Treasurer from the School Fund, upon presentation of the warrant therefor; provided, that the Board of Education shall not have the power to create any debts or liabilities in any one year to exceed the

annual revenue or available means under the control of the Board, and justly applicable for school purposes for such year.

City Superintendent's salary

SEC. 102. The City Superintendent of Schools shall receive for his services a salary to be fixed by the Board of Education, and such salary shall be in full payment of such Superintendent for all services rendered by him as City Superintendent of Schools, and as ex-officio Secretary of the Board of Education.

City Attorney, attorney for Board

SEC. 103. The City Attorney shall be the attorney of the Board, and shall not receive any compensation for services rendered or to be rendered for the Board, other than or in addition to his salary as such City Attorney.

School year

SEC. 104. The school year shall consist of forty weeks of actual schooling, exclusive of all holidays.

Daily session

SEC. 105. The daily sessions of the schools shall continue for six hours, exclusive of noon intermission, and including the recesses; provided, however, that no pupil under eight years of age shall be kept in school for more than four hours a day.

SEC. 106. In case of disaster from fire, riot, earthquake or public enemy, the Board of Education may, with the approval of the Mayor and Council, incur extraordinary expenditures in excess of the annual limit provided by this charter for repair, construction and furnishing of school houses; and the Council may, by ordinance, cause to be transferred to the School Fund from moneys in any other fund not otherwise appropriated, sufficient moneys to liquidate such extraordinary expenditures.

SEC. 107. The Board of Education succeeds to all the property rights, and to all the obligations of the School Trustees of Eureka School District heretofore existing.

ARTICLE VIII.

POLICE DEPARTMENT.

Chief of Police

SEC. 108. There shall be a Chief of Police, who shall be a qualified elector of the city, not less than twenty-five years of age, and who shall be appointed by the Mayor, by and with the consent of the Council, and shall hold office during the pleasure of the appointing power.

Powers of Chief of Police

SEC. 109. The Chief of Police shall have command and control of the police force, subject to the general supervision of the Mayor. He shall have power to suspend any policeman for disobedience of any lawful order, for the violation of the rules of the department, neglect of duty, drunkenness or misconduct as a policeman; and he shall, upon suspending a policeman, promptly certify the fact, with the cause thereof, to the Mayor, who shall forthwith report the same in writing together with the charges preferred against such policeman, to the Council, and if such policeman be found guilty by the Council, he shall be dismissed from the police force.

SEC. 110. The Chief of Police shall observe, and cause to be observed and enforced, all laws and ordinances within the city, and shall see that all lawful orders and processes of the Council, Police and Justices' Courts within the city are promptly executed. For the suppression of any riot, public tumult, disturbance of the peace, unlawful assembly, organized resistance to the laws or public authorities in the performance of their duties, or in arresting persons for public offenses, he shall have the powers that are or may be hereafter conferred upon Sheriff's by any law, and all his lawful orders shall be promptly executed by the police officers.

In addition to the powers and duties herein enumerated, the Chief of Police

shall have such other powers and perform such other duties pertaining to the Police Department as may from time to time be conferred or imposed upon him by ordinance.

Chief of Police office

SEC. 111. The Chief of Police shall keep a public office, to to be provided by the Council, which office shall be kept open, and at which he, or a police officer designated by him, shall be in attendance at all hours, day and night.

The Chief of Police shall devote his entire time to the discharge of the duties of his office, and shall not absent himself from the city, without urgent necessity, unless in pursuit of persons who have committed public offenses within the limits of the city. If such absence from the city be upon any other than business immediately connected with his office, except on vacation (and then only by written consent of the Mayor filed with the City Clerk), he shall forfeit his salary for the time of such absence, and the proper amount shall be deducted from his next salary warrant by the City Clerk. He shall designate one of the policemen to attend constantly upon the Police Court, and to execute the orders and processes thereof; but any policeman shall have authority to execute the orders and processes of the Police and Justice's Court.

Captain of Police

SEC. 112. There shall be a Captain of Police, selected from among the police force by the Mayor, by and with the consent of the Council, and who, in the absence of the Chief of Police, shall have command and control of the police force, and who shall perform such other duties and have such other powers pertaining to the Police Department, as shall be required of him by the Chief of Police or from time to time be imposed or conferred on him by ordinance of the Council.

The term of office of the Captain of Police shall be during the pleasure of the appointing power.

Police, number of

SEC. 113. In addition to the Chief of Police, there shall be a permanent police force, which shall consist of such number of policemen, not less than three and not exceeding one for every one thousand inhabitants, as the Council shall from time to time, by ordinance, authorize to be appointed. The policemen shall be appointed by the Mayor, by and with the consent of the Council, and shall hold office during good behavior, unless removed for cause, or for the improvement of the public service, as in this charter provided. The Chief of Police may appoint from the police force a day and a night jailer, who shall be termed Sergeants of Police. No person shall be appointed to any position on the police force of the city unless he shall be a man of good moral character, and of good repute for honesty and sobriety, a citizen of the United States, and a resident and elector of the city for at least one year next preceding his appointment. Nor shall any person be so appointed who has ever been convicted of a felony, or who is unable to understandingly read and write the English language, or who is deficient in health, strength or courage; and except those in service on the police force at the time this charter takes effect, every appointee hereafter shall be not less than twenty-five years or more than forty-five years of age, and must, before being appointed, present to the Mayor a certificate from the City Physician that the applicant is in sound health, and free from any physical disability that would incapacitate him for the duties of a policeman.

Patrol system

SEC. 114. Whenever the Council shall deem it expedient, a patrol system may be provided for the use of the Police Department, which system shall include horses, wagons and all electric or other appliances necessary for the operation of such system.

SEC. 115. Except as otherwise in this charter prescribed, the Mayor, in making appointments of members of the police force, shall be guided solely by the

fitness of the applicant, and no person shall ever be appointed to, or removed from, the police force for or on account of partisanship, or for or on account of his political or religious opinions.

No member of the Police Department shall take any part whatever in any political caucus or convention, nor be a member of any political club or committee, or take any part in any general or primary election, except to vote; and any officer, member, or empoyee in said department violating any of the provisions of this section shall forfeit his position.

Policemen must not take gift

SEC. 116. No member of the police force shall be allowed to receive any money, gratuity, or compensation for any services he may render as an officer, except rewards which have been publicly offered for the apprehension and conviction of criminals, without the written consent of the Mayor, first filed with the City Clerk and any member of the police force who shall violate this provision shall be at once removed from office. The members of the police force shall not follow any other profession, calling, or business; but shall devote their entire time to the performance of their official duties; nor shall they be allowed pay for any period during which they shall absent themselves from public duty, except for the yearly vacation provided for by general law.

Vacation

SEC. 117. The members of the police force shall promptly and fully obey, enforce, observe, and cause to be obeyed and enforced, all lawful orders of their superiors, and all rules and regulations of the Police Department. They shall be prompt and diligent in the detection of crime, the arrest of public offenders, with or without a warrant, the suppression of all riots, affrays and disturbances of the peace, in the abatement of public nuisances, and the enforcement of the laws and city ordinances. It shall be the duty of each member of the police force to acquaint himself with the provisions of this charter, with all the ordinances of the city, and with all laws of the State, defining public offenses and regulating criminal proceedings.

Extra Policemen

SEC. 118. Whenever the Council, by resolution, shall so direct, there shall be appointed by the Mayor, by and with the consent of the Council, two policemen in each ward of the city, who shall be known as extra policemen. Such extra policemen shall be resident electors of the ward for which they are appointed. Such extra policemen shall at all times be diligent in preventing and suppressing disturbances of the peace and in arresting public offenders with or without warrant, and they shall, whenever called upon, aid the Chief and regular police officers in making arrests and quelling disturbances. They shall be under the general control of the Chief of Police and shall report their acts to him, but shall not be assigned to regular service, nor be required to do regular patrol duty. Such extra policemen shall hold office during the pleasure of the appointing power, and shall receive the same rate of pay as the regular policemen for the time actually engaged in the performance of their official duty. No extra policemen shall act as a special policeman, nor shall he be permitted to ask or receive any pay or compensation, from any source, for his services as policeman, other than the pay herein provided for.

Special police

SEC. 119. In addition to the regular and extra police force, the Mayor may at times when very large numbers of people, in addition to the permanent inhabitants congregate in the city, appoint not to exceed fifteen special policemen to serve not to exceed two weeks, who shall also receive the same rate of compensation for their services as is paid to regular policemen. The Mayor may also, by and with the consent of the Council, upon the petition of any person, firm or corporation, appoint at any time a special policeman for special service, to be

paid for by such person, firm or corporation; provided, however, that the locality where such special policeman is to act shall de described in the warrant of appointment; and provided further, that no such appointment shall be made until the Council, by an affirmative vote of at least four members, authorize the appointment of a special policeman for such locality. The policemen so appointed shall not receive any pay from the city. All special policemen shall possess all the powers and discharge all the duties of regular policemen, and be under the direction and control of the Chief of Police, and be subject to and obey all rules and regulations of the Police Department. The term of office of any special policeman shall not extend beyond one year, nor shall such special policeman continue to act as such for a longer period than one year unless reappointed.

SEC. 120. The Council shall prescribe the badge of office and uniform to be worn by the members of the police force.

ARTICLE IX.

FIRE DEPARTMENT.

Fire Department

SECTION 121. The Mayor shall have supervision over the Fire Department, and shall appoint, by and with the consent of the Council, a Chief Engineer, Assistant Engineer, Superintendent of the Fire Alarm System, engineers of steam fire engines, drivers, stokers, hosemen, and all other officers, members, and employes of the Fire Department; and all officers and members shall retain their positions during good behavior, unless removed for cause, or for the improvement of the public service as in this charter provided.

Firemen, qualifications of

No person shall be appointed to any position in the Fire Department unless he be a man of good moral character, and of good repute for honesty and sobriety, a citizen of the United States, and a resident of the city at least two years next preceding his appointment. Nor shall any person be so appointed who has ever been convicted of a felony, or who is unable to understandingly read and write the English language, or who is deficient in strength, activity, and intrepidity; and every appointee shall be not less than twenty-one years, or more than forty years of age, and must, before being appointed, present to the Mayor a certificate from the City Physician that the applicant is in sound health and free from any physical disability that would unfit him for such position.

Mayor, supervise department

SEC. 122. The Mayor in making appointments of officers, members, or employes of the Fire Department, shall be guided solely by the fitness of the applicant and no person shall ever be appointed to or removed from any position in the Fire Department for or on account of partisanship, or for or on account of his political or religious opinions.

SEC. 123. The Mayor shall exercise general supervision over the Fire Department, and see that the officers, members and employes faithfully discharge their duties, and that the laws, ordinances, rules and regulations relating thereto are carried into effect; report to the Council any inefficiency, neglect of duty, or misconduct on the part of any officer, member, or employee in the department that may come to his knowledge; and he shall recommend to the Council the adoption of such ordinances, rules, and regulations as may be calculated to secure greater safety to life and property, and improve the discipline and efficiency of the Fire Department.

Council controls department

SEC. 124. The Council shall have full power and authority over the organization, government, and discipline of the Fire Department; prescribe the duties of the officers, members and employes; prescribe the uniform and badge of office to

be worn by them, and shall have control of all property and equipments pertaining to or belonging to the Fire Department.

The said Council shall make all rules and regulations necessary to secure discipline and efficiency in the Fire Department, and any officer, member, or employe in said department guilty of violation of such rules and regulations, neglect of duty, disobedience of orders, absence without leave, or conduct injurious to the public peace or welfare, immoral conduct, or breach of discipline, shall be liable to punishment and reprimand, dismissal from the department, forfeiture of pay or the witholding thereof, when found guilty of the offense charged, by the Council, upon a trial held for that purpose; provided, that not more than thirty days' pay shall be forfeited or withheld for one offense, and provided further, that by affirmative vote of three members of the Council, any officer, member or employe of the Fire Department may be dismissed at any time without trial, when in the judgment of said Council the public service or efficiency of the department will be improved thereby.

Firemen, abstain from politics

SEC. 125. No officer, member, or employe in the Fire Department shall take any part whatever in any political caucus or convention, nor be a member of any political club or committee, or take part in any general or primary election except to vote; and any officer, member, or employe in said department violating any of the provisions of this section shall forfeit his position.

Chief Engineer

SEC. 126. The Chief Engineer shall be the executive officer of the Fire Department, and it shall be his duty and that of the Assistant Chief Engineer to see that the laws, orders, rules, regulations, and ordinances, concerning the department are observed and carried into effect, and he shall also attend to such duties as Fire Warden as may be prescribed by the Council, and see that all laws, orders, regulations, and ordinance to secure protection against fire are enforced.

SEC. 127. The Chief Engineer shall be responsible for the discipline of all officers, members, or employes of the Fire Departmnt, and may suspend any officer, member, or employe for incompetency, insubordination, misconduct, or for any violation of the rules and regulations of said department, and shall, upon such suspension, promptly certify the fact, with the cause thereof, in writing, to the Mayor, who shall forthwith in writing report the same, together with the charges preferred, to the Council for their action.

SEC. 128. The Chief Engineer shall diligently observe the condition and workings of all apparatus in use by the department, and report thereon in writing at least once in each month to the Council, and make such recommendations or suggestions relative thereto as may to him seem proper or necessary.

Chief Engineer, annual report

SEC. 129. The Chief Engineer shall make an annual report in writing to the Council, on or before the first meeting in January of each year, showing in detail the cost of maintenance and operation of the Fire Department with the casualties, fatalities, conflagrations which have occurred, the estimated value of property destroyed and amount of insurance thereon, if any, and a statement of supplies and apparatus received during the year past, and an inventory of all property of whatever kind and nature remaining and belonging to the department, and the condition thereof, together with a list of the probable supplies needed by the department, and an estimate of the amount of money necessary to meet the expenses of the Fire Department during the ensuing year; together with such suggestions and recommendations as may seem to him proper or expedient for the welfare and efficiency of said department.

SEC. 130. The Council may furnish the Chief Engineer with a horse and buggy, and provide for keeping the same.

Assistant Chief

SEC. 131. In the absence or inability of the Chief, the Assistant Chief Engineer shall attend to and perform all the duties of the Chief Engineer. The Assistant Chief Engineer shall have charge of the corporation house and yard, and custody of all apparatus, appurtenances and supplies kept therein; and shall receipt for every article received, and keep a record of the same in a proper book to be kept for that purpose; and shall take a receipt for every article delivered by him to the department and make a written report to the Chief Engineer once in each month, or oftener if required, showing in detail such receipts and deliveries, and shall do and perform such other duties as pertain to his office. No article whatever shall be delivered from the corporation house or yard to any officer, member, or employe, except upon an order signed by the Chief Engineer.

SEC. 132. The Chief and the Assistant Chief Engineer, while in the discharge of their duties, shall be vested with all the powers of arrest and detention vested in police officers. The Mayor, by and with the consent of the Council, shall have power to appoint, as necessity requires, a Fire Police Patrol from among the members or employes of the Fire Department.

Building may be removed

SEC. 133. The Chief, or in his absence the Assistant Chief Engineer, may during a conflagration, cause to be cut down or otherwise removed, any building or structure when necessary for the purpose of checking such conflagration.

SEC. 134. Until otherwise provided by the Council, there shall be attached to the Fire Department two steam fire engine companies, each to consist of one foreman, one assistant foreman, one engineer, one driver of engine, one stoker, one driver of hose cart and eight hosemen. Also one hook and ladder company, consisting of one foreman, one driver, one tiller-man, and five hook and ladder-men. Also two hose companies, each to consist of one foreman, one assistant foreman, one driver of hose cart and five hosemen. Also a fire alarm system, to be under the immediate charge of a superintendent. Nothing in this section shall be so construed as fixing permanently the number of men comprising each company, but the same may be increased or diminished at any time and may apply to one only, or to all the companies in the department, at the pleasure of the Council.

SEC. 135. The Chief and Assistant Chief Engineers shall devote their entire time to the Fire Department, and shall not engage in any other occupation or business requiring their personal attention; and neither shall absent himself from the city without first obtaining permission from the Mayor in writing, which permit must be filed with the City Clerk; and in no case shall both the Chief and Assistant Chief Engineer be absent at the same time. And it is further provided, that the engineers of steam fire engines, the stokers and drivers thereof, also the drivers of hose carts and hook and ladder trucks, and tiller-men, together with such other members or employes as the Council may from time to time designate, shall devote their entire time to the duties of the department, and shall at all times, day and night, remain at the engine houses or stations, except when granted a leave of absence by the Chief Engineer.

Sleeping rooms provided

SEC. 136. There shall be provided suitable sleeping rooms in the several engine houses for the use of the permanent members of the department; and there shall be a general office in one of the department buildings, where the Chief and Assistant Chief Engineers and Superintendent of the fire alarm system shall make their headquarters daily during office hours, when not otherwise engaged in official duties.

Fire alarm system Superintendent

SEC. 137. There shall also be attached to the Fire Department a fire alarm system, which shall be under the immediate charge of a Superintendent appointed from among the members of the department or its employes. It shall be his duty

to report to the Chief Engineer, in writing, at least once a month, the condition and workings of the system, and at any time when such system is not in perfect working order, the Chief Engineer must be immediately and fully advised thereof. The Superintendent shall make such other reports and perform such other duties as may from time to time, be prescribed by the Council.

All electric light or power, telegraph of telephone wires, erected or maintained in this city shall be subject to the supervision and inspection of said Superintendent, and shall be located, laid, erected, and maintained only in such manner as may be approved by him, so as not to endanger or interfere with the wires or apparatus of the fire alarm system.

Fire Department, Council may enlarge

SEC. 138. The Council may, by ordinance, and upon the recommendation of the Chief Engineer, enlarge the Fire Department by the purchase of chemical, electrical, steam, or other engines, hook and ladder trucks, hose carts, horses, hose, and other appurtenances or apparatus; purchase or erect other and necessary buildings; extend the fire alarm system, and increase the number of companies, officers, members, and employes at any time when in the judgment of said Council greater security against fire, loss of life and property demand it.

Claims

SEC. 139. Every claim against the Fire Department must first be certified to by the Chief Engineer before being presented to the Council for approval. The monthly payroll of the department shall be made up by the Chief, certified to by him, and presented to the City Clerk, who shall verify the same before passing it to said Council for approval.

SEC. 140. The foregoing sections of this article shall not apply to the Fire Department of said city so long as the same remains as now, a volunteer Fire Department.

ARTICLE X.

HEALTH DEPARTMENT

Board of Health

SECTION 141. There shall be a Health Department under the management of a Board of Health. Said Board shall consist of five members, namely: the Mayor, who shall be ex-officio a member and President of said Board, and the City Engineer, who shall be ex-officio a member of the Board, and three citizens who shall be appointed, without regard to their political opinions, by the Mayor, by and with the consent of the Council. The Mayor shall not have a right to vote unless in case of a tie, when he shall have the right to vote.

Each appointed member of the Board shall be a duly licensed physician in accordance with the laws of the State of California, and a qualified elector of the city for two years immediately preceding his appointment, and shall serve without compensation.

Term of office

SEC. 142. The term of office of the appointed members of the Board shall be for two years, and until their successors are appointed and qualified, said term to commence upon the second Monday in August; provided, that those members first appointed shall so classify themselves, by lot, that one of them shall go out of office at the end of one year, and two at the end of two years. If any appointed member fails to qualify within ten days after his appointment such appointment shall be void, and a new appointment shall be made.

Meetings, quorum

SEC. 143. Regular meetings of the Board of Health shall be held once a month, and special meetings when called by the President, or any three members, and all meetings shall be public. Three members shall constitute a quorum for the transaction of any business.

SEC. 144. Said Board of Health, subject to the ordinances of the city,

shall have supervision of all matters pertaining to the sanitary condition of the city and public institutions thereof; and subject thereto, full powers are hereby given to said Board over all questions of foul or defective drainage, of the disinfection and sanitary cleaning of streets, alleys, cellars, cesspools, sewers or nuisances of any description, and of low places within the city limits, calculated to receive and retain unhealthy deposits.

Rules

SEC. 145. The Board of Health shall adopt such forms and regulations for the use of physicians, undertakers and Superintendents of cemeteries, as in their judgment may be best calculated to secure reliable vital and mortality statistics in said city and prevent the spread of contagious and infectious diseases. They shall have power to prevent or forbid communication with infected families or houses.

Expenses of Board

SEC. 146. The Council shall, by ordinance or otherwise, provide for enforcing such orders and regulations as the Board of Health may from time to time adopt, and all expenses necessarily incurred by the Board of Health in carrying out the provisions of law and of this charter shall be provided for by the Council.

City Physician's Powers

SEC. 147. The Board of Health, within two weeks from the time of its organization, shall elect a City Physician, who shall also act as Health Officer and Secretary of the Board of Health. Said City Physician shall not be a member of the Board of Health, and shall be an elector of the city, not less than thirty years of age, a licensed physician of not less than two years, and actually engaged in the practice of his profession therein. He shall hold his office during the pleasure of the Board of Health, and must see that the laws and ordinances of the city in relation to the public health, and the regulations and orders of the Board of Health, are properly enforced. He shall keep a full record of all the transactions of the Board of Health, as well as all records appertaining thereto, and by himself or his deputy issue all permits for burials or removals in any of the cemeteries, and no interment shall be made therein unless said Health Officer is satisfied of the correctness and reliability of the certificate of death presented for his inspection. He shall have the powers of a police officer, and shall make an extended annual report to the Board of Health of the affairs pertaining to his office, including mortuary and other statistics, with such observations and recommendations in relation to the sanitary condition of the city as he may deem proper.

It shall be his duty to examine and inspect all nuisances, privies, vaults, cesspools, buildings and low places within the city limits with a view to the enforcement of all the laws and regulations relating to sanitary matters, and to cause the arrest of and vigorously prosecute, all persons violating any of said laws and regulations.

SEC. 148. The City Physician, as Health Officer, shall visit once in each quarter all public buildings and school houses in said city. During such visits he shall examine the manner in which they are lighted, ventilated and heated, and particularly as to their sanitary condition.

Yellow flag

SEC. 149. When a case of smallpox, Asiatic cholera or yellow fever is reported to the Health Officer, he may visit the premises where the person is, and when satisfied that either of said diseases exist, he shall place a yellow flag or conspicuous notice on said premises, which shall remain during the continuance of the disease on said premises.

SEC. 150. The Health Officer may cause to be removed to a smallpox hospital or pesthouse any person in said city affected with smallpox, Asiatic cholera or yellow fever. When a case of either of said diseases exists in any house,

and the person so affected is not moved to said hospital or pesthouse, the Health Officer shall immediately place a quarantine upon said premises, and may place a competent person in charge thereof, who shall see that a quarantine is strictly enforced so long as public safety requires.

Vaccination free

SEC. 151. The Health Officer shall vaccinate, free of charge, all persons applying to him.

SEC. 152. Every member of the Board of Health and the Health Officer may administer oaths on matters connected with the Health Department.

Physicians to report

SEC. 153. Every physician in the city shall report to the Health Officer in writing, every patient he shall have sick of typhus, ship or yellow fever, Asiatic cholera, leprosy, smallpox, diphtheria or scarlet fever, and every death from such disease immediately after it shall have occurred.

Also, every householder in said city shall forthwith report in writing or otherwise to the Health Officer the name of every inmate of his or her house, whom he or she shall have reason to believe is sick of typhus, ship, or yellow fever, leprosy, cholera or smallpox, and any deaths occurring at his or her house from such disease.

Health Officer to report

SEC. 154. The Health Officer shall report to the City Superintendent of Schools of said city the names and residences of every person sick of typhus, ship, or yellow fever, Asiatic cholera, small-pox, leprosy, diphtheria, or scarlet fever, or other contagious disease he may deem dangerous to the city health, and it shall be the duty of the Superintendent of Schools of said city, when so notified of the residence of any person sick of any of the diseases enumerated, to refuse admittance to the public schools to any member of a family, one or more of whose inmates are sick with any of the foregoing disesases; provided, that the parties excluded shall be readmitted upon presenting a certificate from the Health Officer that there is no longer any danger from contagion.

SEC. 155. Whenever it shall be certified to the Board of Health by the Health Officer that any building, or part thereof, is unfit for human habitation by reason of its being so infected with disease, or from other causes, as to be likely to cause sickness amongst its occupants, said Board may issue an order and cause the same to be affixed conspicuously on the building, or front thereof, and to be personally served upon the owner, agent, or lessee, if the same can be found, requiring all persons therein to vacate such building for the reasons to be stated therein, as aforesaid. Such building, or part thereof, shall within ten days thereafter be vacated, or within such shorter time, not less than twenty-four hours, as in said notice may be specified; but said Board, if it should become satisfied that the danger from the building, or part thereof, has ceased to exist, may revoke said order.

Quarantines

SEC. 156. The Board may proclaim such quarantines and establish and declare such quarantine districts and grounds, and the boundaries thereof, as may, in their judgment, be necessary for the preservation of the public health; and may, when deemed necessary, require all vessels, railroad cars, or other public conveyances, before the same shall land or stop at any landing, depot, or stopping place in the city, to stop or touch at any or either of the districts, grounds, or boundaries so selected and established for quarantine purposes, and leave all such persons, with their stores and baggage, as in the opinion of the Health Officer or physician stationed at such quarantine sites, places, or boundaries shall be deemed proper on account of the existence or general report of Asiatic cholera, smallpox or yellow fever.

Rules

SEC. 157. The said Board shall make such rules and regulations for the

government of the quarantine or the health of the city as from time to time they shall deem necessary, and the physicians or Health Officers in charge of any quarantine station, or place, shall have power to make and enforce such regulations as may be necessary for the proper management thereof; and it shall be the duty of all persons in quarantine, and all agents, officers, policemen, or others employed by the city in and about said quarantine stations or places, to carry out and obey the same.

Record of births and deaths

SEC. 158. The Board of Health shall cause to be kept a record of all births and deaths occurring in said city; such records must be kept in the Health Office, and shall be open for inspection by any person during office hours. All physicians and midwives in the city shall report to the Health Officer on or before the fifth of each month all births occurring in his or her practice during the previous month.

Burying and removal of dead

SEC. 159. No person shall deposit in any cemetery the body of any human being who has died in the city, or remove the same from within the limits of the city, without having first obtained and filed at the Health Office a certificate signed by a physician or coroner, setting forth as nearly as possible the name, age, sex, color, place of birth, occupation, date, locality, and cause of death of deceased, and obtain from the Health Officer, a permit in writing therefor for burial or other purposes. Physicians, when deaths occur in their practice, must give the certificate herein mentioned, unless the physician believes the death to be a proper case for investigation by the Coroner. No body of a human being who has died within the limits of the city, and no body or remains of a deceased person exhumed or taken from any grave, vault, or other place of burial or deposit, within or without the city, shall be transported in or through the streets or highways of the city, unless the person or persons transporting such body or remains shall first obtain from the Health Officer a permit in writing therefor, which shall accompany the body or remains.

Burial permits

SEC. 160. The permits in the last section may be granted in the discretion of the Board of Health, under such general restrictions and conditions as the Board may prescribe. The Health Officer shall prepare a book of blank permits, in proper form and consecutively numbered containing stubs on which as well as in the permit, shall be entered a record giving the name, age, sex, nativity, place of burial, and destination of remains to be transported or removed.

SEC. 161. In addition to the powers and duties in this article enumerated, the Board shall have such other powers and perform such other duties as may be prescribed by ordinance of the Council, or by general law.

ARTICLE XI.

WATERWORKS DEPARTMENT.

Water Commissioners

SECTION 162. If at any time the city shall become the owner of any water supply, or shall decide to construct such a system, the Mayor shall appoint, by and with the consent of the Council, two citizens of the city to be Water Commissioners, and they must not belong to the same political party. The City Engineer shall be ex-officio a Water Commissioner. The appointed members shall hold their office for the term of two years; provided, that when first appointed they shall be appointed for one and two years, to be designated in the notice of appointment by the Mayor. Their compensation shall be fixed by ordinance by the Council.

SEC. 163. The Water Commissioners shall have full control and management of the water system of this city, and the collection of the revenue therefor, under such regulations by ordinance as the Council may from time to time enact.

All contracts for work and materials must be made by said Commissioners in the manner provided in this charter for making contracts, and approved by the Council. And all pay rolls and accounts for the same, before being paid by the Council, shall first be passed upon by the Commissioners, who shall thereupon certify them to the Council for payment.

ARTICLE XII.

PUBLIC LIBRARIES.

Free Library

SECTION 164. There shall be maintained in the City of Eureka free public libraries and reading rooms, as provided for by an Act of the Legislature of this State, entitled, "An Act to establish free public libraries and reading rooms approved April twenty-sixth, eighteen hundred and eighty, and such other Acts of the Legislature as may be amendatory thereof and supplemental thereto.

SEC. 165. The public library and reading room created and existing under the provisions of said Act, and known as the "Eureka Free Library," is hereby continued in existence, and shall be free of access to all residents of said city and the general public subject to such rules and regulations for the government and management thereof as may from time to time be adopted by the Board of Trustees thereof; provided, that said Board shall not permit any of its books, journals, publications or other property to be taken, carried, or removed, by any person, without the limits of said city.

SEC. 166. The Board of Trustees thereof shall consist of five members, one to be elected from each ward by the qualified electors thereof, at the regular municipal election, and shall hold office for two years, or until their successors are elected and qualified.

ARTICLE XIII.

CONTRACTS.

Contracts

SECTION 167. The City of Eureka shall not be and is not bound by any contract, or in any way liable thereon, unless the same is made in writing by order of the Council, and the draft thereof approved by the City Attorney and the Council, and the same ordered to be signed by the Mayor, or some other person authorized thereto in behalf of the city; but the Council, by an ordinance, may authorize any officer, committee, or agent of the city to bind the city without a contract in writing for the payment of any sum of money not exceeding three hundred dollars. All bonds of any contractors with the city shall be approved by the Council.

Bonds

ARTICLE XIV.

CLAIMS AND DEMANDS.

Claims and demands

SECTION 168. All claims and demands whatever against the City of Eureka, except interest coupons on bonds and bonds of funded debt, shall be paid only on demands as herein provided for.

SEC. 169. Said demands, except demands payable out of the School Fund and Library Fund, shall be presented to the Council on forms and blanks to be provided by the City Clerk, and shall be referred to its Committee on Finance. The said committee shall, by indorsement thereon, approve or reject the same in whole or in part. The Council shall then consider the said demands, and the actions of said committee thereon, and shall, if the same be just and legal, approve the same; or may, if it so determine, approve in part or reject the whole. The action of the Council shall be indorsed thereon, with the date of such action, and certified by the signature of the President and City Clerk.

SEC. 170. Any such demand approved by the Council, in whole or in part shall be delivered to the Mayor, who shall approve the same in whole or in part, or reject the same, and indorse such approval or rejection thereon, with the date thereof; provided, that the Mayor shall have no power to approve a demand for a sum larger than the sum in which it is approved by the Council. If the Mayor approve only in part, and for a less amount than approved by the Council, or reject any such demand, he shall return the same to the City Clerk, with his objection in writing attached thereto. Claims, Mayor must approve

SEC. 171. All demands approved by the Mayor for the same amount as approved by the Council shall by him be delivered to the City Clerk, who shall thereupon draw a warrant therefor upon the City Treasury, and which shall be signed by the Mayor, and countersigned by the City Clerk.

SEC. 172. Any demands returned to the City Clerk with the objections of the Mayor, shall again be considered by the Council, and if it shall again be approved by the Council by the same vote, and taken, recorded, and indorsed in the same manner as hereinbefore required, the said objection shall be thereby overruled. Any demand the objection to which of the Mayor has been overruled, shall be delivered to the City Clerk, who shall draw a warrant therefor, as if the same had been approved by the Mayor; if the Mayor object only to a portion of such demand, and such objection thereto shall be sustained by the Council, the same shall thereby be delivered to the City Clerk for his action thereon as hereinbefore provided.

SEC. 173. No demand can be approved, audited, or paid unless it specify each several item, with the date and amount thereof, nor unless it be subscribed by the claimant or by his, her, or its agent, and sworn to before some officer authorized to administer oaths. Claims must be sworn to

SEC. 174. No payment can be made from the City Treasury, or out of the public funds of said city, unless the same be specially authorized by law or this charter, nor unless the demand which is paid be duly audited as in this charter provided. The term "audited," as used in this charter with reference to the demands upon the Treasury, is to be understood to mean that said demands have been presented to, passed upon, and approved as herein provided, and this must appear upon the face of the paper representing the demand, or else it is not audited; provided, that the approval or rejection in whole or in part, of a demand by the Committee on Finance of the Council is advisory only to the Council, and the rejection by said committee of a demand in whole or in part, does not of itself prevent its being duly audited. Claims must be audited

SEC. 175. No demand upon the Treasury shall be allowed in favor of any person or officer in any manner indebted thereto, without first deducting the amount of such indebtedness, nor to any person or officer having the collection, custody of, or disbursement of public funds, unless his account has been duly presented, passed, approved and allowed, as required by law or this charter; nor in favor of any officer who shall have neglected to make his official returns, or his reports in writing, in the manner and at the time required by law or this charter, or by the ordinances or regulations made in pursuance thereof, nor to any officer who shall have neglected or refused to comply with any of the provisions of this charter or ordinances of the city, or any Act of the Legislature regulating the duties of such officer, on being required in writing to comply therewith by the Mayor or the President of the Council; nor in favor of any officer for the time he shall have absented himself, without lawful cause, from the duties of his office during the office hours prescribed by this charter or by ordinance.

Clerk, record claims

SEC. 176. The City Clerk must number and keep a record of all demands on the Treasury which have been duly approved, showing the number, date, amount and name of the original and present holder, on what account allowed, and out of what fund payable.

SEC. 177. Every lawful demand upon the Treasury, duly audited as in this charter required, shall in all cases be paid on presentation and canceled, and the proper entry thereof be made, if there be sufficient money in the Treasury belonging to the fund out of which it is payable; but if there be not sufficient money belonging to said fund to pay such demand, then it shall be registered in a book to be kept by the Treasurer for that purpose, showing its number, when presented, date, amount, name of original holder, and on what account allowed, and out of what fund payable; and being so registered, shall be returned to the party presenting it, with an indorsement of the word "Registered," dated and signed by the City Treasurer. All registered demands shall be paid in the order of their registration.

Claims, registry of

SEC. 178. All public moneys collected by any officer or employe of the city shall be paid into the City Treasury, without any deduction on account of any claim for fees, commissions or any other cause or pretense, and the compensation of any officer, employe or other person so collecting money, shall be paid by demands upon the Treasury, duly audited as other demands are audited and paid.

Suits must be preceded by demand

SEC. 179. No suit shall be brought upon any claim for money or damages against the City of Eureka, its Board of Education, or the Board of Trustees of the Eureka Free Library until a demand for the same has been presented as herein provided, and rejected in whole or in part. If rejected in part, suit may be brought to recover the whole.

Nor shall suit be brought against said city upon any such claim, or demand, if the same shall be in whole approved and audited as provided herein; provided that nothing herein contained shall be construed so as to deprive the holder of any, demand of his right to resort to a writ of mandate, or other proceeding against the said Council, or any Board or officer of said city, to compel it, or him, to act upon such demand, or claim, or to pay the same when so audited.

ARTICLE XV.

MISCELLANEOUS PROVISIONS

Franchises to highest bidder

SECTION 180. All grants of franchises, or privileges, by the Council, shall be awarded to the highest bidder in pursuance of the general laws of said State, nor shall any such franchises or privileges have any validity unless the person or persons to whom the same is made shall, within six months thereafter, actually and in good faith, and not colorably, commence the exercise or enjoyment of the same; provided, that where condemnation of property is necessary, condemnation proceedings commenced and diligently prosecuted shall be deemed the exercise of the franchise or privilege.

Franchises, forfeiture of

Whenever any franchise or privilege shall have been in disuse, in whole or in part for the period of one year, there being no legal impediment to the use thereof, it shall be deemed abandoned and forfeited to the extent of such disuse, and said franchise or privilege, or the part thereof so in disuse, shall no longer be used or enjoyed. When in the exercise of any franchise or privilege, use has been made in any way of any street or alley of the city, such street or alley shall be put in good repair, and all the materials or obstructions which have been placed therein in the exercise of such franchise or privilege shall be removed therefrom at the expense of the person or company who has held such francise or privilege

whenever the franchise or privilege is abandoned or falls into disuse.

Officer holding other office

SEC. 181. Any person, except as otherwise in this charter provided holding a salaried office under this city, whether by election or appointment, who shall during his term of office hold or retain any office or profit or emolument, under the government of the United States or of this State, or who shall hold any other office connected with the city, or with the county of Humboldt, shall be deemed thereby, to have vacated the office held by him under the city government.

Officers or employes interested in contracts, etc.

SEC. 182. No member of the Council, and no officer or employe of the city shall be or become directly or indirectly interested in, or with the performance of any contract, work or business, or in the sale of any article, the expense price or consideration of which is payable from the City Treasury, or in the purchase or lease of any real estate or property belonging to or taken by the city, or which shall be sold for taxes or assessments, or by virtue of legal process at the suit of the city. Any member of the Council, or any officer or employe of this city violating the provisions of this section, or who shall be directly or indirectly interested in any franchise, right or privilege granted by the city while he is such officer, member or employe, unless the same shall devolve upon him by law, shall forfeit his office, and be forever disqualified from holding any position in the service of the city; and all contracts made, or rights or franchises granted in violation of this section shall be absolutely void.

Officers not to be surety, etc

SEC. 183. No officer of the city shall be or become a surety on any bond given to the city, or to any person for the benefit of the city; nor shall any officer or employe of the city give or promise to give any person any portion of his compensation, or any money or thing of value, or any position, in consideration of having been or being nominated, appointed, voted for, or elected to any office or employment under the city.

Officer not to accept gift

No officer of the city shall, while in office, accept any donation or gratuity, in money or anything of value, either directly or indirectly, from any subordinate employe, or from any candidate or applicant for any position under him. Any person violating the provisions of this section shall forfeit his office and employment under the city, and be forever disqualified from holding any position in the service of the city.

Books open to public inspection

SEC. 184. All books and records of every office and department shall be open to the inspection of any citizen at any time during business hours. Copies and extracts from such books and records, duly certified, shall be given by the officer having the same in custody, to any person demanding the same, upon paying or tendering ten cents per folio of one hundred words.

SEC. 185. No office shall be created in addition to those provided for by this charter, unless by ordinance regularly adopted by the Council. Whenever in the judgment of the Council no necessity exists for the continuation of any appointive office created or provided for by this charter, said Council, by an ordinance for that purpose, may discontinue such office.

Officers

SEC. 186. All officers, deputies, clerks, assistants and other employes of the city, and of the several departments thereof, must be citizens of the United States, and during their respective terms of office or employment must, with the exception of the City Superintendent of Schools, and teachers of the public schools, reside in the city, and where not otherwise provided for, must have been residents of the city one year next preceding their election or appointment. They, and each of them, shall perform such duties as may be required of them, respectively, by law, ordinance, or this charter, and shall only receive such compensation as may have been previously provided, and such compensation shall not be

Residence

increased during the term of their respective offices or employment, except as in this charter provided.

Officers, removal from city

SEC. 187. If any officer of the city shall remove from the city, or absent himself therefrom for more than thirty days, consecutively, without the permission of the Council, or shall fail to qualify by taking the oath of office and filing his official bond, whenever such official bond is required, within the time required by this charter, or shall resign, or be convicted of felony or of malfeasance in office, or be adjudged insane, his office shall be and become vacant, and such vacancy shall be filled as in this charter provided.

SEC. 188. All books, papers, plats, charts, records, files and stationery, made, or made use of, by any officer or employe of the city, in the performance of his official duties, shall be deemed and considered as belonging to the city, and shall be delivered to his successor in office, who shall give duplicate receipts in writing therefor, one of which receipts shall be filed with the City Clerk.

SEC. 189. No officer or employe in any department of the city government shall ever be appointed or removed for or on account of partisanship, or for or on account of his political or religious opinions.

Chinese

SEC. 190. No Chinese shall ever be employed, either directly or indirectly, on any work of the city, or in the performance of any contract or subcontract of the city, except in punishment for crime. Nor shall any provisions, supplies, materials, or articles of Chinese manufacture or production ever be used or purchased by or furnished to the city.

SEC. 191. All improvements, actions, proceedings, matters and things not otherwise provided for in this charter shall be taken, had, and conducted under, and in pursuance of the provisions of the laws of the State of California applicable thereto, in force at the time such improvements, actions, proceedings, matters, and things are taken and had.

Special meetings, notice of

SEC. 192. Whenever special meetings are called by the Council, Board of Education, or any other Board of the municipality, notice thereof shall be served on each member personally or by mail, addressed to him at his place of residence; if by mail, the notice, post-paid, shall be deposited in the postoffice of the city, at least twenty-four hours before the time of meeting. At such special meeting, no subject shall be considered except that specified in the notice.

Judicial notice of ordinance, etc.

SEC. 193. It shall not be necessary, in any action, civil or criminal, to plead or prove the organization or existence of the corporation of the City of Eureka, nor the passage, existence, or validity of any ordinance, rule, resolution, or other regulation thereof, but the Court before which the proceedings shall be pending shall take judicial notice of this charter and of such ordinance, rule, resolution, or other regulation and of the contents thereof, without proof, unless their validity is assailed, when the burden of proof shall be on the party assailing the same; and in all civil actions to which the city, or any officer of the city, is a party, either plaintiff or defendant, the adoption and contents of any ordinance, rule, resolution, or other regulation of the Council may be proven prima facie by the introduction of the original entry thereof on the records of the Council, by a copy thereof certified by the City Clerk, to be a full, true and correct copy of such original entry, or by the introduction of a printed copy published or purporting to have been published by authority.

Ordinance in force

SEC. 194. All ordinances, rules, resolutions, and other regulations of the City of Eureka, in force at the time this charter takes effect, and not inconsistent therewith, shall continue in force until amended or repealed. All officers of the city heretofore existing shall, unless expressly continued in force by this charter,

cease to exist at the time that this charter takes effect, and shall be supplanted by the officers herein provided for, and the incumbents of the offices so abolished shall surrender to the officers having like powers and duties, as provided by this charter, all moneys, bonds, contracts, books, accounts, records, files, furniture, and property of the offices so abolished. No business pending before any department or officer of the city at the time this charter takes effect shall be considered as lost, discontinued, or abandoned by reason thereof, but the same may be taken up, continued, transacted, and completed before the proper department or officer provided for by this charter.

SEC. 195. The Council of the present City of Eureka shall provide for the holding of the first election of officers under this charter, shall canvass the vote, declare the result and approve the bonds of all officers elected at such election.

SEC. 196. For the sole purpose of the election and qualification of the officers directed by this charter to be elected at the general municipal election, this charter shall take effect immediately after its approval by the Legislature, and such election shall be managed and conducted in accordance with the general election laws of the State. For all other purposes this charter shall take effect on the second Monday of July, eighteen hundred and ninety-five.

CERTIFICATE

Certificate of Board of Freeholders

Be it known, that the City of Eureka, a city containing a population of more than three thousand five hundred and less than ten thousand inhabitants, on the eighteenth day of June, eighteen hundred and ninety-four, at a regular election, and under and in accordance with the the provisions of Section eight, Article eleven of the Constitution of the State of California, did elect Peter Belcher, Josiah Bell, H. H. Buhne, Jr., J. S. Connick, David Evans, Franklin Ellery, W. H. H. Heckman, W. L. Heney, H. W. McClellan, W. H. McWhinney, A. J. Monroe, N. H. Pine, Denver Sevier, Henry Sevier, and E. W. Wilson, a Board of fifteen Freeholders, to prepare and propose a charter for said city; and we , the members of said Board, in pursuance of said provision of the Constitution, and within a period of ninety days after such election, have prepared and do propose the foregoing, consisting of fifteen articles and one hundred and ninety-six sections, as and for the charter of the said City of Eureka.

In witness whereof, we have hereunto set our hands this thirteenth day of September, Anno Domini, one thousand eight hundred and ninety-four. Done in duplicate.

PETER BELCHER,
JOSIAH BELL,
H. H. BUHNE, Jr.,
JOHN S. CONNICK,
DAVID EVANS,
FRANKLIN ELLERY,
W. H. H. HECKMAN,
W. L. HENEY,
H. W. McCLELLAN,
WM. H. McWHINNEY,
A. J. MONROE,
N. H. PINE,
DENVER SEVIER,
HENRY SEVIER,
E. W. WILSON,

Attest:
FRANKLIN ELLERY, Secretary.

STATE OF CALIFORNIA,
County of Humboldt. } ss.

I, C. G. Stafford, Mayor of the City of Eureka, hereby certify that the foregoing charter is one of the duplicate copies of the same delivered to me as stated in the preamble attached to and preceding said charter; that all the statements of said preamble are true.

C. G. STAFFORD,
Mayor of the City of Eureka.

Attest:
W. G. BONNER, City Clerk of City of Eureka.

Resolution ratifying Charter

NOW THEREFORE, BE IT

Resolved by the Senate of the State of California, the Assembly thereof concurring (the majority of all members elected to each house voting for and concurring therein), that said charter of the City of Eureka as presented to, and adopted and ratified by, the qualified electors of said city be, and the same is hereby approved, as a whole, for and as the charter of the said City of Eureka aforesaid.

THOS. FLINT, Jr.,
President pro tem of the Senate.
J. C. LYNCH,
Speaker of the Assembly.

{ Great Seal of State }
Attest: L. H. BROWN, Secretary of State.

Approved by the Governor as the Charter of the City of Eureka, this 12th day of February, A. D., 1895.

JAMES H. BUDD,
Governor of the State of California.

A copy of the foregoing preamble, charter and resolution, certified by C. G. Stafford, Mayor, and authenticated by the Seal of the City, was deposited, one in the office of the Secretary of State, and the other was on March 27th, 1895, recorded in the Recorder's office of Humboldt County, and after recording was deposited in the archives of the city.

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Special Resolutions.

Special Resolutions

Relative to

Street Paving

and to

Police Department

SPECIAL RESOLUTION.

SPECIFICATION NO 2.

SPECIFICATIONS FOR STREET PAVING IN THE CITY OF EUREKA, COUNTY OF HUMBOLDT, CALIFORNIA, WITH HYDRAULIC CEMENT, CONCRETE BASE, WITH BITUMINOUS ROCK SURFACE.

(Approved and Adopted May 12th, 1893.)

The street pavement herein provided for is to be constructed according to the plans and cross-section approved by the Council of the City of Eureka, and on the lines and grades as they shall be located by the City Engineer of said city, and all work shall, during its progress, and on its completion, conform to the lines and levels which may from time to time be given by said City Engineer. The work is to be done as follows:

First: To excavate the area on which the pavement herein provided for is to be constructed, to such extent as may be required by the plan and these specifications, or to fill such area if said street shall be below grade sufficient to require filling.

Second: To construct and lay thereon the pavement hereinafter described.

Third: To furnish all materials necessary to perform said work, and to complete the same.

Fourth: To do whatever else is required by these specifications.

The work herein provided for shall be prosecuted and performed in sections, each section to be one block in length, and to extend longitudinally from the intersection of one cross street to the intersection of the next cross street; intersections also may be included; provided, however, that whenever there is a street railroad operated and maintained upon any section, said work shall be so prosecuted and performed as to interfere as little as possible with the maintenance and operation of said track or tracks during the progress of the work.

In the preparation of the road-bed to receive the pavement, the street shall be excavated or filled to sub-grade and rolled with a roller weighing at least 250 pounds to the linear inch, the surface being made to conform with the cross-section in the office of the City Engineer, after which, and before proceeding with the work, the surface so prepared and rolled shall be inspected by the Street Suprintendent, or an Assistant designated by him, and any defects shall be corrected to the satisfaction of said Street Superintendent, or an Assistant, before proceeding with the work.

Upon the road-bed prepared and brought to sub-grade, as above described, there shall be constructed and erected a bituminous rock pavement, prepared in the following manner, and composed of the following materials: Portland cement, one part; sand, three parts; gravel, five parts.

The cement shall be of the best English Portland cement, and may be either the "White's" "Gillingham" or "K. B. & S.," or other brand of English Portland cement approved by the Street Superintendent.

The sand shall be clean, sharp, silicious sand, free from loam, mica, or other impurities, and the gravel shall have sizes ranging from the size of a pea, minimum, to the equivalent in contents of a two and one-half inch cube, maximum.

The gravel, sand and cement shall be thoroughly mixed while dry, by turning at least twice, then the water will be added, and the whole shall again be turned while wetting it, to the satisfaction of the Street Superintendent. The concrete thus

prepared will be spread upon the sub-grade in one layer; this layer, after being spread, shall be rammed with a tamping iron weighing at least thirty pounds, to a uniform surface, till the water rises to the top, and so as to have a depth of six inches in thickness, and shall be two inches below the finished surface of the pavement. Upon this sub-stratum of conceter, prepared as above specified, after the same has been allowed to set to the satisfaction of the Street Superintendent, will be placed the wearing surface of bituminous rock.

Each contractor shall submit with his proposition a sample of the bituminous rock which he intends to furnish and lay, and all parts of the pavement laid by him must be of bituminous rock of equal quality to the sample furnished.

The bituminous rock must be heated, mixed and laid under the supervision of the Street Superintendent or his authorized deputy, and must be spread uniformly over the surface of the concrete, and rolled while warm with a roller weighing at least 500 pounds to the lineal foot. The finished surface shall have the thickness of two inches after being rolled, and shall conform to the cross-sections of the surface of the streets, as shown on the plans on file in the office of the City Engineer, or to the stakes set by him. The bituminous pavement shall extend from curb to curb, but if gutters are desired they may be constructed of other material.

Intersection or culverts can be constructed of the same material as the street by making a gradual descent from each side, in accordance with the grade and sub-grade stakes set by the City Engineer.

SPECIFICATIONS FOR CONSTRUCTING ARTIFICIAL CURBS IN THE CITY OF EUREKA.

Curbing herein provided for is to be constructed of concrete, mixed in the following propositions: Portland cement, one barrel; sand, three barrels; gravel, four barrels.

The Portland cement shall be either of the brand of "White," "Gillingham," or "K. B. & S.," and the gravel shall be of the size that will pass through a two-inch ring.

The concrete shall be prepared by mixing the gravel and sand and cement dry, and turning it at least twice, and then the water will be added and then turned while wetting it; the whole shall be thoroughly mixed.

The concrete shall be sixteen inches in depth and eight inches thick. The face of the curb for twelve inches from the top shall be prepared as follows: When the planks are set to receive the concrete, twelve inches from the top of the curb the contractor shall start its facing with dry fine, by using one part of Portland cement same as above specified, and one part of sand. Before placing in the concrete, there shall be placed a board one-half inch thick and four inches wide; the concrete shall then be placed against the board, the board shall then be removed and the space filled with dry fine, as above specified. The concrete shall be thoroughly tamped within three-fourths (¾) inch from the top; then the top shall be laid on, composed of cement, one part; sharp sand, one part; well mixed; and the curb shall be finished in a good and workmanlike manner.

STONE CURBING.

All natural stone curbs shall be of good quality, sound, hard and of uniform color and texture, free from cracks, seams or sand pockets, cut rectangular in form.

not less than sixteen (16) inches in depth, six (6) inches in width and not less than four (4) feet in length when dressed; the top and face of the curbstone shall be dressed smooth and even to a depth of twelve (12) inches below the top, and dressed not less than one (1) inch down on the back; all curbstone shall be of uniform thickness and depth throughout, and free from seams. No wedge shaped, warped or otherwise defective stone will be allowed. The ends shall be dressed smooth, so as to make close joints through the full thickness of the stone, for a distance of not less than twelve (12) inches down from the top; all joints shall be made close fitting and in good workmanlike manner, and joints shall be filled with cement grout. The curb is to be set with plumb face, square section top, true to line and grade; the curb shall rest on four (4) inches of sand on the bottom; all back filling to be thoroughly tamped within four (4) inches of the top of the curb, so that there will be no displacement of the curb; the curbstones to be cut on a curve on the corner, and the radius of the curce shall be as given by the City Engineer. The curb must be well rammed to prevent it from settling.

SPECIFICATIONS FOR CONSTRUCTING SIDEWALKS IN THE CITY OF EUREKA.

The sidewalks herein provided for shall be constructed on the official grade, as established by the City of Eureka, and all work during its progress, and on its completion shall conform to the lines and levels given from time to time by the City Engineer of said city.

All sidewalks constructed in accordance with these specifications shall be brought to sub-grade by excavating or filling three and three-fourths inches below the grade, as established by the City Council, then to wet and tamp or roll the ground thoroughly to a hard and even surface. On said sub-grade to place three inches of concrete, prepared in the following manner, and composed of the following materials: Cement, one part; sand, three parts; gravel, four parts; all to be well mixed dry, by turning it at least twice, then to wet it and turn while wetting it, so it will be thoroughly mixed; then to be put in its place and well tamped.

The wearing surface to be three-fourths of an inch thick, and composed of equal parts clean, sharp sand and best Portland cement, and well troweled down and marked in regular squares, and finished in a good and workmanlike manner. After the work has set for twelve hours, then to cover it up and keep it wet for ten days, at the end of which time the covering to be removed and the sidewalk left clear of all rubbish.

The Portland cement shall be either of the brand of "White," "Gillingham," or "K. B. & S.," and the gravel shall be of the size that it will pass through a two-inch ring, and the sand shall be a silicious sand, free from loam, mica or other impurities.

All work done under these specifications shall in every respect be executed in a thorough and workmanlike manner, and shall be commenced and carried on at such points and in such order of procedure as may from time to time be directed by the Street Superintendent; provided, however, that each section, one block in length as hereinbfore described, shall be wholly completed, inspected and approved under and by the Street Superintendent.

All line and grade stakes will be given by the City Engineer and the work

must be done as indicated by said stakes. The contractor must take good care to preserve all stakes as much as possible.

The contractor shall, when required to do so by the Street Superintendent remove from the work any overseer, superintendent, laborer or other person employed on the work who shall refuse or neglect to obey the directions of the Street Superintendent or City Engineer relating to the work, or who shall perform his work in a manner contrary to these specifications, or who shall be found incompetent or unfaithful, or who shall commit any trespass on public or private property in the vicinity of the work, or for any improper conduct. All loss or damage arising from the nature of the work to be done under these specifications, or from any unforseen obstructions or difficulties which may be encountered in the prosecution of the same, or from the action of the elements, or from encumbrances on the lines of the work, or from any act or omission on the part of the contractor, or any person or agent employed by him, not authorized by these specifications, shall be sustained by the contractor.

No work shall be considered as accepted which may be defective in its construction, or deficient in any requirement of these specifications in consequence of the negligence of any officer of the city, or inspector connected with the work, to point out said defect or deficiency during construction and the contractor shall be required to correct any imperfect work whenever discovered before the final acceptance of the work.

The contractor assumes all risks of variance in any computation or statement of amounts or quantities necessary to complete the said work in accordance with the plans and specifications, and to the satisfaction of the Street Superintendent.

Bidders must examine and judge for themselves as to the location of the proposed work, the nature of the excavations to be made, and the work to be done.

The contractor shall give twenty-four hours' notice in writing when he shall require the services of the City Engineer for laying out any portion of the work.

The contractor shall not disturb any monument, bench mark, or reference point found on the line of the improvement until ordered by the City Engineer, and he shall re-set them as directed by the City Engineer. A penalty of $25 shall be imposed for each monument disturbed without orders, and the amount be deducted from the estimate.

In case the contractor shall neglect or refuse, after written notice, to remove or replace any rejected work or materials, they shall be removed and replaced by order of the Street Superintendent at the contractor's expense.

The contractor shall be required to remove all obstructions, such as trees, stumps, stones, old blocks, crossings, culverts, debris, etc., that may be in the way of making said improvements. No more than two blocks of the street shall be torn up, nor more than one cross-street be closed at any one time, unless ordered by the Street Superintendent.

It is hereby expressly understood that on refusal or failure on the part of the contractor, or his men, to comply with any portion of these specifications, the Street Superintendent is hereby authorized to employ sufficient help to have the required work done, and deduct the expense of the same from any money that may be due or which may hereafter become due to the contractor.

The Contractor shall agree that on all estimates the certificate of the Street Superintendent shall be conclusive as to the amount of work to be done, and shall be accepted by such contractor as final.

The contractor shall agree that he will indemnify and save harmless the City of Eureka of all suits and actions of every name and description brought against it for, or on account of, any damages received or sustained by any party or parties, by or from any acts of, or anything done by said contractor, his servants or agents, in the prosecution of said work.

All work done under these specifications must strictly comply with them.

All rubbish must be removed from the street before acceptance.

ACCEPTANCE OF THE WORK.

The contractor shall notify the Street Superintendent of the city when he desires a final acceptance of the work, and the latter will as soon as possible make the necessary examination, and if the work is found in compliance with these specifications, the City Street Superintendent will furnish the contractor with a certificate to that effect, which must be presented by the latter to the Board of Councilmen for endorsement.

In the interpretation of these specifications the decision of the Street Superintendent of said city shall be final.

SPECIAL RESOLUTION.

POLICE UNIFORMS.

ADOPTING A UNIFORM FOR THE POLICE FORCE OF THE CITY OF EUREKA

(Adopted August 22d, 1892.)

WHEREAS, Section No. 15 of Ordinance No. 154, provides that the Common Council may adopt a suitable uniform to be worn by the police force of this city, therefore be it

Resolved, That the Chief of Police and all officers of the permanent police force shall provide themselves with uniforms and badges of office, which shall be worn by them upon all occasions, with such exceptions on the part of officers performing detective duty as may be permitted by the Chief of Police. And be it further

Resolved, That the full dress uniform to be worn by the Eureka police force shall be as follows, to-wit:

FOR CHIEF OF POLICE.

The dress shall be a double-breasted frock coat, the waist to extend to the top of the hip, and the skirt to within one inch of the bend of the knee; two rows of police buttons on the breast, eight in each row, placed in pairs, the distance between each row five and one-half inches at the top and three and one-half inches at the bottom; stand up collar, to rise no higher than to permit the chin to turn freely over it, to hook in front at the bottom; cuffs three and one-half inches deep, and to button with three small buttons at the under seam; two buttons on the hip, one button on the bottom of each skirt pocket welt, and two buttons intermediate, so that there will be six buttons on the back; collar and cuffs to be of dark blue velvet; lining of coat black; the pantaloons plain; black neck-cloth and white collar; the vest single-breasted, with eight buttons placed at equal distances.

must be done as indicated by said stakes. The contractor must take good care to preserve all stakes as much as possible.

The contractor shall, when required to do so by the Street Superintendent remove from the work any overseer, superintendent, laborer or other person employed on the work who shall refuse or neglect to obey the directions of the Street Superintendent or City Engineer relating to the work, or who shall perform his work in a manner contrary to these specifications, or who shall be found incompetent or unfaithful, or who shall commit any trespass on public or private property in the vicinity of the work, or for any improper conduct. All loss or damage arising from the nature of the work to be done under these specifications, or from any unforseen obstructions or difficulties which may be encountered in the prosecution of the same, or from the action of the elements, or from encumbrances on the lines of the work, or from any act or omission on the part of the contractor, or any person or agent employed by him, not authorized by these specifications, shall be sustained by the contractor.

No work shall be considered as accepted which may be defective in its construction, or deficient in any requirement of these specifications in consequence of the negligence of any officer of the city, or inspector connected with the work, to point out said defect or deficiency during construction and the contractor shall be required to correct any imperfect work whenever discovered before the final acceptance of the work.

The contractor assumes all risks of variance in any computation or statement of amounts or quantities necessary to complete the said work in accordance with the plans and specifications, and to the satisfaction of the Street Superintendent.

Bidders must examine and judge for themselves as to the location of the proposed work, the nature of the excavations to be made, and the work to be done.

The contractor shall give twenty-four hours' notice in writing when he shall require the services of the City Engineer for laying out any portion of the work.

The contractor shall not disturb any monument, bench mark, or reference point found on the line of the improvement until ordered by the City Engineer, and he shall re-set them as directed by the City Engineer. A penalty of $25 shall be imposed for each monument disturbed without orders, and the amount be deducted from the estimate.

In case the contractor shall neglect or refuse, after written notice, to remove or replace any rejected work or materials, they shall be removed and replaced by order of the Street Superintendent at the contractor's expense.

The contractor shall be required to remove all obstructions, such as trees, stumps, stones, old blocks, crossings, culverts, debris, etc., that may be in the way of making said improvements. No more than two blocks of the street shall be torn up, nor more than one cross-street be closed at any one time, unless ordered by the Street Superintendent.

It is hereby expressly understood that on refusal or failure on the part of the contractor, or his men, to comply with any portion of these specifications, the Street Superintendent is hereby authorized to employ sufficient help to have the required work done, and deduct the expense of the same from any money that may be due or which may hereafter become due to the contractor.

The Contractor shall agree that on all estimates the certificate of the Street Superintendent shall be conclusive as to the amount of work to be done, and shall be accepted by such contractor as final.

The contractor shall agree that he will indemnify and save harmless the City of Eureka of all suits and actions of every name and description brought against it for, or on account of, any damages received or sustained by any party or parties, by or from any acts of, or anything done by said contractor, his servants or agents, in the prosecution of said work.

All work done under these specifications must strictly comply with them.

All rubbish must be removed from the street before acceptance.

ACCEPTANCE OF THE WORK.

The contractor shall notify the Street Superintendent of the city when he desires a final acceptance of the work, and the latter will as soon as possible make the necessary examination, and if the work is found in compliance with these specifications, the City Street Superintendent will furnish the contractor with a certificate to that effect, which must be presented by the latter to the Board of Councilmen for endorsement.

In the interpretation of these specifications the decision of the Street Superintendent of said city shall be final.

SPECIAL RESOLUTION.

POLICE UNIFORMS.

ADOPTING A UNIFORM FOR THE POLICE FORCE OF THE CITY OF EUREKA

(Adopted August 22d, 1892.)

WHEREAS, Section No. 15 of Ordinance No. 154, provides that the Common Council may adopt a suitable uniform to be worn by the police force of this city, therefore be it

Resolved, That the Chief of Police and all officers of the permanent police force shall provide themselves with uniforms and badges of office, which shall be worn by them upon all occasions, with such exceptions on the part of officers performing detective duty as may be permitted by the Chief of Police. And be it further

Resolved, That the full dress uniform to be worn by the Eureka police force shall be as follows, to-wit:

FOR CHIEF OF POLICE.

The dress shall be a double-breasted frock coat, the waist to extend to the top of the hip, and the skirt to within one inch of the bend of the knee; two rows of police buttons on the breast, eight in each row, placed in pairs, the distance between each row five and one-half inches at the top and three and one-half inches at the bottom; stand up collar, to rise no higher than to permit the chin to turn freely over it, to hook in front at the bottom; cuffs three and one-half inches deep, and to button with three small buttons at the under seam; two buttons on the hip, one button on the bottom of each skirt pocket welt, and two buttons intermediate, so that there will be six buttons on the back; collar and cuffs to be of dark blue velvet; lining of coat black; the pantaloons plain; black neck-cloth and white collar; the vest single-breasted, with eight buttons placed at equal distances.

FOR POLICE OFFICERS.

The dress shall be a single-breasted frock coat, with rolling collar, the waist to extend to the hip, and the skirt to within one inch of the bend of the knee; nine buttons on the breast, two buttons on the bottom of each pocket, and three small buttons on the under seam of the cuffs; pantaloons plain; white shirt, collar, black neck-cloth; vest single-breasted, with nine buttons placed at equal distances.

OVERCOATS.

The overcoat shall be of blue cloth, indigo dyed, double-breasted, rolling collar, waist to extend one inch below the hip, skirt to three inches below the bend of the knee, swell edge, stitched one-fourth of an inch from the edge, with nine police buttons on each breast, four on the back and skirt, and two on the cuffs. All buttons on the breast of double-breasted coats shall be placed in two rows, at a distance between rows of seven inches at top and three and one-half inches at bottom, measured from centers, and in such a manner as to form, when the coat is buttoned, direct lines from top to bottom.

The cloth to be used in all uniforms shall be blue, indigo dyed, all wool fifty-four inches in width, and the cloth to be used for coats and vests shall weigh not less than twenty-seven nor more than thirty ounces per yard. The cloth to be used in the pataloons and overcoats shall weigh not more than thirty ounces per yard, and in quality, texture and color to be as good as the sample submitted herewith.

HATS.

The hats to be worn by the police force shall be similar in style, shape and color to the sample now in the possession of the police committee.

Any garment not made in conformity with the foregoing shall be rejected by the Chief of Police.

GROUP 1.

Bonding Ordinances.

Ordinances

Relative to

Municipal Bonds.

(List of Ordinances relating to Municipal Bonds.)

Title Nos. Reference to Titles.

270—Relative to bonding for a Sewer System.

271—Relative to bonding for a Water System.

272—Relative to bonding for a School House in the Third Ward.

273—Relative to bonding for a School House in the Fifth Ward.

276—Relative to Issuing Municipal Bonds.

283—Relative to Canvassing Vote of Special Election for Bonds.

288—Relative to determining number and denomination of bonds.

289—Incurring Bonded Indebtedness for a Sewer System.

290—Incurring bonded indebtedness for a School House in Third Ward.

291—Incurring bonded indebtedness for a School House in Fifth Ward.

345—Relative to issuing bonds for City Hall, Forest Park, Sewers and Fire Dept.

347—Relative to canvassing Vote of Special Election for Bonds.

350—Relative to Sale of Municipal Bonds.

352—Incurring Bonded Indebtedness for Improvement of Forest Park.

353—Incurring Bonded Indebtedness for a New City Hall Building.

354—Incurring Bonded Indebtedness to acquire Fire Apparatus.

355—Incurring Bonded Indebtedness for Extension of Sewer System.

Bonding Ordinances.

RESOLUTION NO. 270.

(Approved September 23rd, 1901.)

A Resolution determining and declaring that the public interest and necessity demand the acquisition and construction and completion of a sewer system for the City of Eureka; that the cost of the same will be too great to be paid out of the ordinary annual income and revenue of the city; and that the question of incurring an indebtedness for said purpose be submitted at an election to the qualified electors of said City of Eureka.

(See page 252 of Record Book E, City Clerk's Records.)

RESOLUTION NO. 271.

(Approved September 23rd, 1901.)

A resolution determining and declaring that the public interest and necessity demand the acquisition of a water system for the City of Eureka; that the cost of the same will be too great to be paid out of the ordinary annual income and revenue of the city; and that the question of incurring an indebtedness for said purpose be submitted at an election to the qualified electors of said City of Eureka.

(See page 254 of Record Book "E," City Clerk's Records.)

RESOLUTION NO. 272.

(Approved September 23rd, 1901.)

A resolution declaring and determining that the public interest and necessity demand the acquisition, construction and completion of an additional school house for the third ward of the City of Eureka, together with the necessary ground for said school house in said Ward; that the cost of the same will be too great to be paid out of the ordinary annual income and revenue of the city; and that the question of incurring an indebtedness for said purpose be submitted at an election to the qualified electors of said City of Eureka.

(See page 256 of Record Book "E," City Clerk's Records.)

RESOLUTION NO. 273.

(Approved September 23rd, 1901.)

A resolution declaring and determining that the public interest and necessity demand the acquisition, construction and completion of an additional school house for the Fifth Ward of the City of Eureka, together with the necessary ground for said school house in said Ward; that the cost of the same will be too great to be paid out of the ordinary annual income and revenue of the city; and that the question of incurring an indebtedness for said purpose be submitted at an election to the qualified electors of said City of Eureka.

(See page 259 of Record Book "E," City Clerk's Records.)

ORDINANCE NO. 276.

(Approved October 7th, 1901.)

An ordinance Relating to the Issuing of Municipal Bonds for Municipal Improvements for the City of Eureka.

(See Page 408 of Book "B" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 283.

(Approved December 23rd, 1901.)

An ordinance convassing the vote of the Special Election held December 16, 1901, in the City of Eureka, on the four propositions relating to the issuance of municipal bonds for certain municipal improvements and declaring the result of said election.

(See page 444 of Book "B" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 288.

(Approved March 18th, 1902.)

An ordinace changing and determining the number and denomination of the Bonds described in Section XIV of Ordinance No. 273 of the City of Eureka.

(See page 468 of Book "B" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 289.

(Approved April 7th, 1902.)

An ordinance incurring a bonded indebtedness of $85,000, which was authorized by Special Election held Dec. 16th, 1901, to acquire, construct, and complete a sewer system; providing for the form of the bonds, and specifying the time and providing for the payment of the principal and interest thereof.

(See page 469 of Book "B" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 290.

(Approved April 7th, 1902.)

An ordinance incurring a bonded indebtedness of $15,000, which was authorized by Special Election held Dec. 16th, 1901, to acquire, construct and complete a school house and the grounds necessary thereto, in the Third Ward of the City of Eureka; providing for the form of the bonds, and specifying the time and providing for the payment of the principal and interests thereof.

(See page 2 of Book "C," or ordinances, City Clerk's Records.)

ORDINANCE NO. 291.

(Approved April 7th, 1902.)

An ordinance incurring a bonded indebtedness of $15,000, which was authorized by Special Election held Dec. 16th, 1901, to acquire, construct and complete a school house and the grounds necessary thereto, in the Fith Ward of the City of

Eureka; providing for the form of the bonds, and specifying the time and providing for the payment of the principal and interest thereof.

(See page 10 of Book "C" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 346.

(Approved April 22nd, 1904.)

An ordinace relating to the issuance of municipal bonds for four certain municipal improvements; ordering and giving notice of a special city election to submit the propositions, or either of them ,to-wit: (1) The construction of improvements in "Forest Park," (2) The acquisition of grounds for site, the construction thereon of a building for municipal uses as a City Hall ,and furnishing such building; (3) The acquisition of fire apparatus for the City of Eureka; (4) The completion of the sewer system for the City of Eureka. Determining the character and amount of the bonds, the manner of the payment thereof and the rate of interest thereon, providing for the levy of and annual tax for the payment of the principal and interest on said bonds. Defining the manner of voting on each of the propositions submitted and the manner of conducting said election, and specifying the places within the limits of each Ward where said election will be held, and appointing officers to conduct said special election.

(See page 146 of Book "C" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 347.

(Approved May 13th, 1904.)

An ordinance canvassing the vote of the special election held May 10th, A. D., 1904, in the City of Eureka, on the four propositions relating to the issuance of municipal bonds for certain municipal improvements and declaring the result of said election.

(See Page 161 of Book "C" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 350.

(Approved May 18th, 1904.)

An ordinance fixing and determining the manner of the sale of the Bonds authorized to be issued and sold by the Special Election held in the City of Eureka on the 10th day of May, A. D., 1904, and prescribing the duties of the City Clerk in relation thereto.

(See Page 170 of Book "C" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 352.

(Approved June 21st, 1904.)

An ordinance incurring a bonded indebtedness of $5,000, which was authorized by Special Election held May 10th, 1904, to construct improvements in "Forest Park"; providing for the form of the bonds, and specifying the time and providing for the payment of the principal and interest thereof.

(See page 174 of Book "C" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 353.

(Approved June 21st, 1904.)

An ordinance incurring a bonded indebtedness of $100,000, which was authorized by Special Election held May 10th, 1904, to acquire grounds for a site, and constructing thereon a building for municipal purposes and uses as a City Hall and furnishing such building; providing for the form of the bonds, and specifying the time and providing for the payment of the principal and interest thereof.

(See page 183 of Book "C" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 354.

(Approved June 21st, 1904.)

An ordinance incurring a bonded indebtedness of $15,000, which was authorized by Special Election held May 10th, 1904, to acquire fire appartus; providing for the form of the bonds, and specifying the time and providing for the payment of the principal and interest thereof.

(See page 193 of Book "C" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 355.

(Approved June 21st, 1904.)

An ordinance incurring a bonded indebtedness of $35,000, which was authorized by Special Election held May 10th, 1904, to complete the sewer system; providing for the form of the bonds and specifying the time and providing for the payment of the principal and interest thereof.

(See page 203 of Book "C" of Ordinances, City Clerk's Records.)

GROUP II.

Building Ordinances.

Ordinances

Relative to

Buildings

(List or Ordinances relating to buildings.)

Title Nos. Reference to Titles.

340—Regulating the Moving of Buildings through the Streets

346—Regulating the Fastening of Wires to Buildings.

372—Prohibiting the Removal of Old Buildings to Site in First Ward

376—Creating Office of Inspector of Buildings.

399—Rules governing construction of Buildings; Fixing Fire Limits.

Building Ordinances.

ORDINANCE NO. 340.

AN ORDINANCE REGULATING THE MOVING OF HOUSES AND OTHER BUILDINGS, IN, ALONG, UPON, OR THROUGH ANY PUBLIC WAY OR STREET OF THE CITY OF EUREKA, AND DECLARING ANY ACTS IN VIOLATION OF THIS ORDINANCE TO BE A MISDEMEANOR.

(Approved March 16th, 1904.)

Be it ordained by the Council of the City of Eureka, as follows:

Section 1. No person, firm or corporation shall move or cause to be moved, any house, dwelling, barn, building, or other like structure upon, in, along or through any public way or street in the City of Eureka without first having obtained a permit in writing from the Mayor of said City; and upon, and at the time of the granting of such permit, the person, firm or corporation receiving such permit shall immediately deposit with the City Clerk of the City of Eureka, a sum of money to be fixed and determined by said Mayor, which shall not be less than one hundred dollars and not more than five hundred dollars. Such deposit is to be made for the purpose of covering or defraying the costs and expenses of fixing, repairing, replacing and adjusting in and to their former order and condition, all streets, public ways, sewers, manholes, crosswalks, bridges, culverts, and wires belonging to the said City, which may have been damaged, injured, taken down or cut by such moving. Provided, that no permit shall be issued under this ordinance until the person, firm or corporation so apply therefor shall have first delivered to the City Clerk a good and sufficient bond, running to the City of Eureka, in the sum of five hundred dollars, with at least two good and sufficient sureties approved by the Mayor of the City of Eureka, which bond shall be conditioned that the party so desiring to move such buildings in the City of Eureka must strictly comply with all the conditions and requirements of this ordinance, or any ordinances hereafter passed regulating house moving, or any orders, rules or regulations concerning house moving that may hereafter be passed by the the Council of the City of Eureka, and that said party will pay any and all damage which may result by reason of any housemoving in the City of Eureka by said party, his agents, employees or workmen, to any fence, pavement, sidewalk, electric or steam railroad line or electric wires or poles connected with said electric railroad line; and such bond sall be conditioned further that said principal will save, indemnify and keep harmless the City of Eureka against all liabilities, judgments, costs, and expenses which may in anywise accrue against said City in consequence of the granting of said permit, and will in all things strictly comply with the conditions of such permit; and said bond shall be further conditioned that if the principal fails to pay for any and all costs, expense or damage which may result by reason of any housemoving in the City of Eureka by said party, his agents, employees or workmen to any fence, pavement, sidewalk, electric or steam railroad line or electric wires or poles connected with said electric railroad line, that the sureties will pay the

same in an amount not exceeding the sum specified in the bond; provided, that such claims shall be filed as hereafter required. Any such bond filed by any person, firm or corporation shall operate as a bond for the purposes required by this ordinance for the term of one year from the date of filing thereof, unless such bond becomes sooner exhausted by reasons of payments made by the sureties thereof for the breach of conditions thereof. At the expiration of said year, or whenever such bond becomes exhausted by reason of the payments made by the sureties thereunder, as aforesaid, a new bond shall be required to be filed by such party before the issuance to such party of any permits hereunder.

Section 2. Any person, firm or corporation, after having obtained a permit for the moving of any building under the provisions of this ordinance and after having made the required deposit with the said City Clerk, and filing the bond as aforesaid, shall, at least twenty-four hours previous to the commencement of such moving, give notice thereof in writing to the owner or manager of any poles or wires which may be an obstruction to the moving of such building, and shall accompany such notice with a copy of a permit from the Mayor of the City of Eureka permitting such moving of such building and designating the route, and shall also serve a copy of such notice with a copy of such permit upon the Chief Engineer of the Eureka Fire Department at the same time.

Section 3. The wires of electrical railroad companies shall only be cut, taken down or interfered with, for the purpose of such moving, between the hours of 12 o'clock p. m. and 5 o'clock a. m. and at, or during, no other time or times, nor shall the moving of any building obstruct any electric railroad in operation or steam railroad except between the above mentioned hours.

Section 4. Any person, firm or corporation having such moving done, as soon as such building shall have passed or crossed any of said public ways, streets, crosswalks, bridges, culverts, sewers and manholes or either and any of the streets or public ways over and along which any of the wires belonging to this City are stretched, suspended, strung or maintained, shall fix, repair, replace and adjust in and to their former state and condition, all such wires belonging to said City which may have been cut, taken down, damaged or injured by such moving of such building, and shall fix, repair and replace in and to their former state and condition all such public ways, streets, crosswalks, bridges, culverts, sewers and manholes which may have been injured or damaged by such moving. And if such person, firm or corporation shall fail to fix, repair, replace and adjust any and all such wires, public ways, streets, crosswalks, bridges, culverts, sewers and manholes, in and to their former state and condition immediately after such building shall have passed or crossed such wires, public ways, streets, strosswalks, bridges, culverts, sewers and manholes, or either, the Superintendent of Streets shall at once have such wires, public ways, streets, crosswalks, bridges, culverts, sewers and manholes replaced and adjusted in and to their former state and condition, at the cost and expense of the person, firm or corporation having such moving done; and such costs and expenses so incurred by the Superintendent of Streets shall be paid from and out of the cash deposit made or left with the City Clerk as aforesaid, and the surplus of such deposit, if any there be, shall be returned by the said City Clerk to the person, firm or corporation having such moving done. Should such person, firm or corporation, immediately after the building shall have passed or cross such public ways, streets, crosswalks, bridges, culverts, sewers, manholes and wires or either, fix, repair, replace and adjust to their former state and condition, and to the satisfaction of the said Superintendent of Streets, the public ways, streets, crosswalks, bridges, culverts, sewers, manholes and wires which were injured, damaged.

destroyed, cut or taken down by the moving of such building, at the cost and expense of the said person, firm, or corporation, such person, firm or corporation shall be entitled to a return in full of said deposit made or left with the said City Clerk.

Section 5. Any person, firm or corporation whose fence, pavement, sidewalk, electric or steam railroad line or electric wires or poles connected with said electric railroad line, shall have been damaged, or the cause of expense to said person, firm or corporation, and whose claim for damages has not been paid by the person, firm or corporation moving such building, shall, within thirty days from the time such claim for costs, expense or damages is incurred, file with the Council of the City of Eureka, a verified statement of such claim for costs, expense, or damages, together with a statement that such claim has not been paid. At any time within ninety days after the filing of such claim, the person, firm or corporation filing the same, may commence an action against the principal and sureties on the bond specified in section one of this ordinance, for the amount of such claim.

Section 6. All removals of buildings made under the permit as set forth in this ordinance shall be done in a careful manner, and shall be prosecuted with diligence, and shall be under the superintendence and control and to the satisfaction and approval of the Superintendent of Streets.

Section 7. No person, firm, or corporation, owning or having charge of the removal of any building through the public streets, shall permit such building to be or stand on any street, lane, alley or public grounds within the limits of one block for a longer period that sixteen hours, unless by special permit from the Mayor.

Section 8. No person, firm or corporation owning or having charge of the removal of any building through the public streets shall allow or cause the injury of any street, public way, crosswalk, bridges, culverts, sewers, manholes, fence, private or public property by reason of such removal.

Section 9. Every person, firm or corporation violating any provision of this ordinance is guilty of misdemeanor and shall, upon conviction thereof, be punished by a fine not to exceed one hundred dollars or by imprisonment not to exceed fifty days or by both such fine and imprisonment.

Section 10. This ordinance shall be in force and effect from and after its approval by the Mayor.

ORDINANCE NO. 346.

REGULATING THE FASTENING OF TELEPHONE, TELEGRAPH, ELECTRIC AND OTHER WIRES TO BUILDINGS IN THE CITY OF EUREKA.

(Approved May 7, 1904.)

Be it ordained by the Council of the City of Eureka, as follows:

Section 1—All electric, telephone, telegraph or other wires running to or connected with any house or building in the City of Eureka, shall not be attached to such building at the first point of contact therewith, lower than five feet below the top part of the cornice or eaves of such building, or when such wires are attached to a gable end not more than five feet below the top of such gable end. Such wires shall be fastened to said building so as to run from the first point of contact therewith, along and close to the same to the place where said wires are taken through the walls into such building. All such wires shall run to such building to which

they are attached, from the poles or other point from which they run to said building, at an angle of not less than forty-five degrees.

Sec. 2. All electric, telephone, telegraph or other wires now attached or fastened to buildings in the City of Eureka, must be attached thereto in the manner provided in Section 1 of this ordinance on or before January 1st, 1905.

Sec. 3. Any person or corporation violating any of the provisions of this Ordinance, or failing to conform to the provisons of Section 2 thereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding One Hundred Dollars, or imprisonment not exceeding ten days or by both such fine and imprisonment.

Sec. 4. This ordinance shall take effect upon its approval by the Mayor.

ORDINANCE NO. 372.

AN ORDINANCE LIMITING THE REMOVAL OF OLD BUILDINGS TO ANY PLACE WITHIN THE CONFINES OF THE FIRST WARD.

(Approved Oct. 11, 1904.)

Be it it ordained by the Council of the City of Eureka:

Section 1. It shall be unlawful for any person, firm or corporation to remove any frame building from their present location to a site or location within the confines of the First Ward of the City of Eureka.

Sec. 2. Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in the sum of not more than five hundred dollars, and in default of the payment of said fine, shall be imprisoned at the rate of one day for each dollar of said fine, and by imprisonment of not more than six months.

Sec. 3. This ordinance shall take effect immediately.

ORDINANCE NO. 376.

AN ORDINANCE CREATING THE OFFICE OF INSPECTOR OF BUILDINGS FOR THE CITY OF EUREKA, DEFINING THE DUTIES OF SUCH OFFICER AND FIXING THE SALARY OF THE SAID INSPECTOR OF BUILDINGS.

(Approved Dec. 8th, 1904.)

Be it ordained by the Council of the City of Eureka as follows:

Section 1. The office of Inspector of Buildings is hereby created and the compensation of the appointee to said office is hereby fixed at the sum of Three Hundred and Sixty dollars per annum to be paid in twelve equal monthly installments.

Sec. 2. It shall be the duty of the Inspector of Buildings to see that all the provisions of the ordinances of the City of Eureka, and of the Statutes of the State of California, relating to the erection and equipment of buildings, public or private, are fully and faithfully observed. It shall be the duty of the Inspector of Buildings and he is hereby empowered to enter all buildings in course of construction or repair and inspect the same, and he shall prosecute each and every violation of ordinances of the City of Eureka, or statutes of the State found by him to exist in said buildings.

Sec. 3. The Inspector of Buildings shall be a qualified elector of the City of Eureka, and shall be appointed by the Mayor, by and with the consent of the Council, and shall hold office during the pleasure of the appointing power.

Sec. 4. This ordinance shall take effect and be in full force from and after its approval by the Mayor.

ORDINANCE NO. 399.

AN ORDINANCE MAKING REGULATIONS CONCERNING THE ERECTION, ALTERATION, REPAIR AND USE OF BUILDINGS IN THE CITY OF EUREKA, AND FOR THAT PURPOSE ESTABLISHING FIRE LIMITS IN SAID CITY, REPEALING ORDINANCE NO. 385, AND PROVIDING A PENALTY FOR A VIOLATION OF THIS ORDINANCE.

(Approved September 6th, 1905.

Be it ordained by the Council of the City of Eureka, as follows:

Section 1. The fire limits of the City of Eureka shall be within that portion of the city bounded on the west by A street, on the south by Sixth street, and the east by J street, and on the north by the waters of Humboldt Bay.

Sec. 2. The exterior walls and all party walls of the buildings included within the district above described, shall be constructed of concrete or brick, natural or artificial stone, or iron or a combination of any or all of the above described materials, or of wood as provided by this ordinance.

Sec. 3. The height of all wooden buildings hereafter constructed within the fire limits shall be limited to 50 feet. from the sidewalk grade to top of fire wall or peak of roof.

Sec. 4. All wooden buildings hereafter erected within the fire limits of the City of Eureka, except those built for, and used exclusively as dwelling houses, outhouses, and private stables, shall be constructed with solid walls the same to be not less than four inches thick in all one and two story buildings, and in all three or more story buildings, the two upper stories shall be constructed of solid walls of like thickness and the lower story or stories shall be constructed with solid walls not less than six inches thick. The above thickness of walls to be exclusive of plaster, weather boarding or rustic.

All frame buildings with studded walls or where the walls are not solid, shall have their outer walls covered with rustic or weather boarding and the walls of such frame buildings shall not come in contact with, or be within twelve inches of, the walls of any other building. Such intervening space shall not be enclosed higher than six feet from the ground.

The exterior walls of such buildings and the partition walls of all building, where laths and plaster are to be used, shall be studded with not less than 2x4 studding, and shall be spaced not to exceed 16 inches on centers.

Where wall studding runs continuously from one story to another, there shall be solid bridging at each floor under the floor joist and under the ceiling joist; and where walls and partitions are lathed and plastered, there shall be one line of bridging midway between the floor and the ceiling between the studding of all walls and partitions. All such bridging to be of like material and sized to the same width as studding.

The outer walls of studded building must not be sealed or boarded with wood on inside. The partition walls may be sealed or boarded on one side, providing, that the other side of the partition shall not be plastered.

When chimney breasts are furred out, the space between the chimney and the breasts shall be so constructed as to prevent the passage of fire and smoke between the same.

When coved ceilings are built, the brackets shall be made solid filling the intermediate space every 16 inches.

No room, hallway, closet or building shall be sealed overhead with lumber within the fire limits of the City of Eureka.

Sec. 5. No person shall cover, or finish in whole or in part, the wall or walls, or ceiling or ceilings of any room or building with cloth, or with cloth and paper or with paper; providing, however, that plastered walls and ceilings may be covered with paper.

Sec. 6. All buildings shall have their interior walls, partitions and ceilings plastered with one or more coats of plaster at least 5-8 of an inch thick, and extending down to the floor, except mills, warehouses, stables, laundrys, factories and outbuildings, where the exterior walls are not sealed on the inside and partitions are boarded on one side only.

Sec. 7. When any frame building which has been or may hereafter be constructed within the fire limits of the City of Eureka is altered, changed or refitted for other purposes than that for which it was originally constructed or last used; or when any building shall be altered to the extent of tearing down partitions or stairways so as to change the plan of said building; or when any building shall be damaged in more than one room, then the alteration of said building shall be constructed in the same manner as provided herein for new work. Whenever additions are made to buildings in the fire limits such additions may be made to conform to the plan of the main building, providing such addition shall not cost when completed more than 10 per cent of the value of the original building.

Sec. 8. All hotels, restaurants, rooming houses, office buildings, theaters, public halls and churches which may be built or altered within the fire limits of the City of Eureka, shall have the chimney or chimneys built of brick and mortar, thoroughly plastered on the inside. Where such chimneys are built in wooden buildings and extended into the lower story of such building, then such chimney shall start from the ground and shall be erected on a permanent foundation of its own, separate from the building. Such chimneys shall not be increased in size in the upper story by adding extra flues, and shall extend at least four feet above the roof, or as much higher as will be necessary to insure the safety of surrounding buildings. No sills, plates, floor joist, ceiling joists, rafters or the headers thereof, shall rest in or on said chimney, but there shall be perfect freedom between all framework and said chimney.

Chimneys not extending to the lower story, shall rest on the floor joist. Patent chimneys may be used in all buildings. All patent chimneys shall be erected on a ground foundation or from the floor joist of the room where they are to be erected, and must have a brick or stone foundation not less than 8 inches thick, covered with an iron plate, not less than ¼ inch thick. All joints are to be set in good cement mortar and the joints struck inside and out, and where bands are used over joints the same are to be filled and properly set in cement mortar and the whole chimney from foundation to crown or opening shall be covered with No. 24 galvanized iron, well riveted and of such size as to leave an air space of not less than ¾ of an inch all around the flue between the iron casing and the chimney.

All chimneys, whether inside or outside, must be put up in a good, sufficient and workmanlike manner, and must be fastened to the framework of the building with iron straps, well and securely nailed.

All ranges must be set not less than four courses of brickwork and must have a chimney built of brick and mortar.

When fireplaces or grates are built, there must be a space of 12 inches between the trimmer and breast of chimney, and a space 8 inches deep shall be filled with masonry under the grate or fireplace. The back of such grate or fireplace shall not be less than 8 inches thick.

Sec. 9. No person shall hereafter erect or cause to be erected within the fire limits of this city, any cupola, furnace or other appliance for melting iron or any other metal, or gas works or electric light works. No person shall erect or cause to be erected, nor shall maintain or use within the Fire Limit of this city any steam engine or boiler without permission of the City Council, and no such permit to erect or use any steam engine or boiler or steam boiler shall be granted unless the person applying for the same shall file with the City Council a certificate signed by the manufacturer or by a competent engineer, who shall also be a competent boiler inspector, of the soundness of the same at the date of the application of said permit. And the person or persons to whom said permit may be granted shall employ a competent person to attend to such engine or boiler, or steam boiler.

Sec. 10. Whenever in the judgment of the Council any building, wall, chimney or smokestack, or other appurtenance to a building or any fence shall from any cause whatever be in a situation to be dangerous to persons or property, or when any wooden building within the Fire Limits shall, in the judgment of the said City Council be damaged by fire or decay to the extent of sixty (60) per cent of its actual value, to be estimated above the line of sidewalk in front of said building, the City Council shall immediately order the Building Inspector to give to the owner or owners of such building wall, chimney or smoke stack or other appurtenance to a building, or any fence, or to his, her or their agents or persons having control thereof, if the owners cannot be found, a notice to remove the same forthwith; and the persons receiving such notice shall, within forty-eight hours commence to comply with the requirements thereof and shall prosecute said work without interruption until completed. In the event of a dispute as to the amount of damage caused by fire between the owner and the City Council, said dispute shall be determined by arbitration of competent mechanics, the owner to select one arbitrator, and the City Council the other; and in case that the arbitrators so chosen cannot agree, they shall call in the third, and their decision shall be final; all expense of the arbitration to be paid by the owner.

Sec. 11. No building shall be moved within the Fire Limits to another location within said Fire Limits unless it is constructed in accordance with this ordinance. And no building shall be moved from the outside districts to within the fire limits unless it is constructed as provided by this ordinance. Before a permit shall be granted by the Mayor for the moving of such building, the applicant shall file with his application a certificate of the Building Inspector to the effect that such building conforms to the provisions of this ordinance.

Sec. 12. No person shall build a bay or oriel window which shall project over the line of any street more than three feet, nor shall the bottom of said bay or oriel window be less than thirteen feet from the sidewalk. No bay or oriel window shall be constructed upon any street, land or alley or place less than forty feet in width.

Sec. 13. Every building of two stories or more in height, whether already erected or hereafter to be erected, and every factory, mill, manufactory or workshop, shall be provided with good and sufficient means of egress in case of fire, and shall be provided with metal fire escapes, satisfactory to the Building Inspector. Every building in which operatives are employed above the first floor shall be provided with metal fire escapes, and women and children shall not be employed above the second floor of any factory, shop or printing office unless there are two or more means of exit. All fire escapes shall be kept free from obstructions and shall extend from the first story of said buildings to at least four feet above the roof, except on buildings where the cornice of said building extends more than 30 inches into the street. On such buildings the fire escape must extend to the windows of the upper story.

Sec. 14. Before any building, to be used as a theater, concert hall, or building for dramatic, operatic or other entertainments, involving the use of a stage with moveable scenery, curtains or machinery, shall be erected, the plans thereof shall be submitted to the Council of said City of Eureka, and such plans shall be changed or altered by said Council, so that the same shall provide full and ample means of exit or egress; and such provisions for the safety of the audience as the Council may deem proper. The building when erected shall conform to the plans as finally approved by the Council.

The entrance, exit, aisles, stairways, lobby or passageways of any theater, concert hall, or any other place of public assemblage shall not be obstructed by people standing therein or having camp stools or chairs placed therein during the assemblage or performance. All theaters and assembly halls shall have at least one Babcock Fire Extinguisher or its equal, for the seating capacity of every 200 or fraction thereof, that said theater or hall would accommodate, to be located as the Chief of the Eureka Fire Department may direct.

All buildings used for public assemblages shall be made to conform to the provisions of this section.

Sec. 15. Any person desiring to construct any building such as Laundries, Livery Stables, Warehouses, Factories, Machine Shops or mills where they desire to change or modify the provisions of this ordinance, and where they will provide some special fire protection, the Council, after receiving an application accompanied with the plans and description of construction, showing all the appliances for extinguishing fire plainly marked thereon, may grant a permit to construct such building within the fire limits.

Sec. 16. The owner or person having in his possession or under his control upon any premises any hay, straw, or forage of any kind, bales of wool, cotton, paper or other substance which have been rendered useless or unmerchantable by reason of fire on said premises or any debris, must remove the same within twenty-four hours after notice so to do from the Chief of the Fire Department or any member of the Police force of the City of Eureka.

Sec. 17. It shall be the duty of Police officers, at the time of any fire, to place ropes and guard lines across all public streets on which any burning building or premises are situated, and at such points as they may deem necessary. It shall be unlawful for any person except owners and occupants, and their employees, of buildings endangered by fire, and the Mayor or members of the City Council of officers and members of the Fire Department and Police Department, and persons having permits from the Chief of Fire Department, to pass within such lines or to remain within such lines when ordered outside thereof by any regular police officer or Fire Police.

Sec. 18. The City Council shall have full power in passing upon any question relating to the mode and manner of construction, or materials used in the erection, alteration or repairs of any building or other structure provided for in this ordinance, and to make the same conform to the true intent and meaning of the several provisions thereof. They shall have discretionary power to vary or modify the provisions of this ordinance upon application thereof in writing in all cases of alteration or removal of old buildings, or the use of party walls belonging to different owners where the same cannot be taken down, and where there are impracticable difficulties in the way of carrying out the strict letter of the ordinance, so that the spirit of the ordinance is complied with, the public safety secured, and substantial justice done; but no such deviation shall be allowed except so ordered by the City Council and the record of the same be kept by said City Council and a certificate be issued to the party applying for the same.

Sec. 19. Before commencing the erection, construction, removal, alteration, or repairs exceeding fifty (50.00) dollars in cost (restoration of plastering or painting excepted), of any building in the City of Eureka, other than buildings erected by said City of Eureka, or County of Humboldt, the United States or the State of California, the owner, architect or builder shall submit to the Building Inspector plans and specifications of the proposed construction or alteration, and shall file an application for permit to do the proposed work. The Building Inspector shall furnish blanks for said application. Such application shall give the location of proposed building or alteration, general dimensions, number and height of stories, name of owner, architect and builder; and shall give an estimate of the cost, state for what purpose the building is designed, and shall contain such other information as required by the form of application in use.

Thereupon the Building Inspector shall issue a permit to make such construction or alteration upon the payment of fees hereinafter mentioned in this article; it shall not be lawful to proceed to construct or alter any building without first having obtained such permit.

The issuance of a permit shall not be considered as an adoption by said Building Inspector of the manifested technical construction contained in the plans and specifications, if thereafter it can be shown that any portion of said plans and specifications was in conflict with any portion of this ordinance. It is to be considered that the purpose of submitting plans and specifications is to enable the Building Inspector to determine the general character and class of the proposed building or alterations for the issuance of a building permit and not for the final acceptance of the modes and methods of construction contained in and illustrated by said specifications and plans.

Sec. 20. The Building Inspector shall require each applicant for a building to state in his or her application for said permit the location of the property to be built upon, describing the same by lot and block or other accurate description. Before the erection, construction, alteration, removing without entering upon any public street or alley, or repairs of any building or part of a building in the City of Eureka, the owner, architect or builder shall pay to the Building Inspector the following fees:

For all buildings, additions, removals without entering upon any public street or alley, or alteration of buildings costing not to exceed one thousand dollars, one dollar; for all buildings, additions, removals without entering upon any public street or alley, or alterations of buildings costing in excess of one thousand dollars, fifty cents for each additional one thousand dollars.

Should an owner, architect or builder commence the erection, construction, removal, as above provided, alteration, addition, or repairs, of or to a building without first having obtained a permit from the Building Inspector for said work, he shall be required to take out a permit for such work and shall be required to pay for the same double the fee respectively above provided for, before proceeding with such work.

After a permit has been granted for any building the plans shall not be altered or changed without giving notice of such alteration or change, and the character thereof, and securing a permit therefor from the Building Inspector.

Sec. 21. The Building Inspector shall keep, in proper books for that purpose an accurate account of all fees paid, giving the name of the party, date, and amount of such fee or fees, which said books shall be kept open for public inspection.

Sec. 22. The Building Inspector shall on the first day of each month render a report, under oath, to the City Council of the number of building permits issued, with the amounts collected for the same during the month preceding, and shall at the same time pay in to the City Treasury, in the manner provided, all such fees so collected during said preceding month.

It shall be the duty of said Building Inspector and his assistant, or assistants. of buildings, to enforce all ordinances relating to the erection, construction, alteration, repair, removal or the safety of buildings.

Sec. 23. The Building Inspector shall have power to stop the construction of any building or the making of any alterations or repairs of any building within said city when the same is being done in a reckless or careless manner, or in violation of any ordinance of said city, or without a proper permit, and to order in writing or by parol, any and all persons in any way or manner whatever engaged in so constructing, altering, removing or repairing any such building, to stop and desist therefrom forthwith; and said work shall only be resumed upon the written permission of said Building Inspector.

Sec. 24. If work upon any building shall be conducted in violation of any of the provisions of this ordinance, either as to occupation of sidewalk or street, or the use or application of material or workmanship, it shall be the duty of the Building Inspector to revoke the permit for the building operations in connection with which such violations shall have taken place. And it shall be unlawful, after the revocation of such permit, to proceed with such building operations, unless such permit shall first have been reinstated or reissued by the Building Inspector. Before a permit, revoked for the cause or causes before mentioned can be lawfully reinstated or reissued, the entire building and building site must be first put into condition, as in this ordinance provided for; and any work or material applied to the same in violation of the terms of this ordinance, shall be first removed from said building, or should the work be abandoned for more than 60 days, the Building Inspector shall have the power to revoke the permit theretofore issued.

Sec. 25. Any person, firm or corporation who shall violate any of the proprisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed five hundred (500) dollars or by imprisonment in the County Jail for not more than six (6) months, or by both such fine and imprisonment.

Section 26. All ordinances or parts of ordinances in conflict herewith and ordinance 358, is hereby repealed.

Sec. 27. This Ordinance shall take effect and be in force from and after its approval by the Mayor.

GROUP III.

Fire Department Ordinances.

Ordinances

Relative to

Fire Department.

List of Ordinances Relating to Fire Department

Title Nos.	Reference to Titles
11	Establishment of Fire Company No. 1 and Fire Company No. 2.
44	Establishment of Torrent Fire Engine Co. No. 3.
112	Establishing and Providing for Government of Fire Department.
351	Establishment of California Hose Company No. 5.
357	Establishment of Sequoia Hose Company No. 6.
367	Accepting Deeds of Land to be used as Sites for Fire Company Houses.
384	Changing Name of Torrent Fire Engine Company No. 3.

Fire Department Ordinances.

ORDINANCE NO. 11

ESTABLISHING FIRE COMPANIES AND A FIRE DEPARTMENT FOR THE CITY OF EUREKA.

(Approved April 5th, 1875.)

SECTION 1. It is hereby enacted and ordained by the Common Council of the City of Eureka that there shall be, and are now by this Ordinance, established in the City of Eureka, two volunteer fire companies, to be known by the names by which they are at present called, viz: The "Eureka Steam Fire Engine Company, No. 1," and the "Humboldt Steam Fire Engine Company, No. 2."

ORDINANCE NO. 44.

ESTABLISHING TORRENT FIRE ENGINE CO. NO. 3.

(Approved February 5th, 1878.)

The Mayor and Common Council of the City of Eureka do ordain as follows:

SECTION 1. There shall be and now is by this Ordinance established in the City of Eureka a volunteer fire company, to be known by the name of Torrent Fire Engine Company No. 3.

ORDINANCE NO. 112.

ESTABLISHING AND PROVIDING FOR THE GOVERNMENT OF THE FIRE DEPARTMENT OF THE CITY OF EUREKA.

(Approved August 11th, 1887.)

The Mayor and Common Council of the City of Eureka do enact and ordain as follows:

SECTION 1. The fire department of the City of Eureka shall consist of one Chief Engineer, one Assistant Engineer, and all such regularly organized fire companies as are now or may hereafter be organized in this city.

SEC. 2. Not less than twenty-five and not more than forty members shall be allowed to a steam fire engine company; not less than fifteen and not more than forty shall constitute a hook and ladder company; and not less than fifteen and not more than twenty-five shall constitute a hose company; and not less than forty and not more than sixty shall constitute a hand fire engine company.

SEC. 3. Each company must elect a Foreman, First and Second Assistant Foreman, Secretary and Treasurer, and also may adopt by-laws and regulations not inconsistent with or contrary to this Ordinance, and may impose dues and penalties not exceeding five dollars, or expulsion from membership for each offense.

PROVIDING FOR THE ELECTION OF CHIEF ENGINEER

SEC. 4. An election shall be held at the meeting hall of the Humboldt Steam Fire Engine Company, No. 2, on the second Monday of July of each year at 7:30 o'clock p. m. of such day, unless by concurring resolutions of the companies another hour may be fixed, at which time and place, and for such election the companies shall assemble in joint meeting, over which meeting the acting Chief Engineer shall preside. Such election shall be by ballot, and the votes shall be received by tellers, one of them to be appointed by each company, and the tellers, together with the presiding officer, shall be the judges of the election.

SEC. 5. Such annual election shall be kept open by the judges at least one hour after the receipt of the first vote. The judges shall enter on a list to be kept the name of each voter as he votes and immediately after the election is closed, and before any adjournment or recess, audibly read in the presence of the meeting, or of such as may be present, the names on each ticket voted, keep a tally of the number of votes polled for each candidate, and when ascertained announce the same. They shall also, under their respective hands, certify and return to the Common Council the list of the names of voters, and the number of votes given for each candidate which certificates, together with all the tickets voted, they shall securely envelope and they, or one of them, shall forthwith, or as soon as practicable, deliver the envelope and contents to the Mayor of the city or City Clerk, and the same shall not be opened except by order of the Common Council at their next regular meeting.

SEC. 6. The Common Council shall be the sole judges of the returns of all such elections and the validity thereof, and at the meeting of the Council by the last preceding section required to be held, shall open such returns and proceed to canvass the same, and if, in the opinion of the Common Council necessary inquire into such election, and at said meeting or adjourned meeting thereof, determine and declare the result of such election; and if, in the judgment of the Common Council, it appears at any such election held, or returns thereof made, that the will of the majority of the certified active members of the fire department voting has not been expressed thereby, the Common Council shall set aside such election and returns, and order a new election, fixing the time thereof.

THE DUTIES OF THE CHIEF ENGINEER.

SEC. 7. The Chief Engineer shall preside at all meetings of the department, shall preserve order and decorum, and enforce a strict obedience of the department laws; he may call special meetings of the department when necessary; he shall take charge of and conduct all public processions of the department; when on duty he shall wear a badge as designated by State law. He shall have power, and it shall be his duty, to suspend any engineer, company officer, or company for disobedience of or unnecessary delay in executing his orders or orders of the assistant, or for disrespectful language, and he shall report the name or names and facts connected therewith to the Common Council when next convened for their action: he shall see that all fire apparatus and fire company houses are kept in good order and condition; he shall have sole command at fires and drills over the officers and members of the department, with power to remove from vicinity all persons not firemen, excepting the owners of the property endangered; he shall appoint one member of the department as Assistant Engineer. The Chief Engineer and the Assistant Engineer shall not both be absent from the city at the same time.

SEC. 8. The Chief Engineer shall have charge subject to the orders of the Common Council, of all property of the department. None of the fire apparatus of said department shall be taken out of the city without the consent of the Common

Council, except in case of fire, and then only by order of the Chief Engineer, with an officer in charge of the same.

SEC. 9. No fire engine or apparatus shall be taken from their houses, except in times of fire, without the permission of the Chief Engineer.

SEC. 10. The Chief Engineer shall report to the Common Council, on the first Monday of July of each year, the number, location, and condition of cisterns, hydrants and fire apparatus, and the state of the fire company houses, and all property of the city in keeping of said department; also, all accidents by fire which may have taken place, with the causes thereof, and a description of the property destroyed or injured, with the names of the owners of the same and amount of loss. He shall furthermore inquire into the causes of all fires. The Chief Engineer shall appoint, with the approval of the Common Council, a competent Engineer, Assistant Engineer, Stoker and Assistant Stoker, for each steam fire engine. If the Chief Engineer or any salaried member of the fire department be absent from the city for a period exceeding five days, without permission of the Mayor, his office shall be declared vacant and thereupon the Mayor shall appoint a successor to fill the unexpired term of such officer or officers.

(Amendment: Approved December 6th, 1887; Ordinance No. 115.)

SEC. 11. All communications to the Common Council in reference to fire department matters shall pass through the hands of the Chief Engineer for approval or disapproval, prior to coming before this Council. The compensation of the Chief Engineer for all services rendered by him as provided by this Ordinance shall be ten dollars per month.

DUTIES OF THE ASSISTANT ENGINEER.

SEC. 12. The Assistant Engineer shall immediately, upon the arriving at fires report to the Chief Engineer for his orders, and at fires or fire alarms in the absence of the Chief Engineer act in his stead.

DUTIES OF THE FOREMAN.

SEC. 13. The Foreman of each company shall be the presiding officer thereof, and at all times preserve order and discipline therein. They shall promptly report to the Chief Engineer any breakage or disarrangement of apparatus or repairs required to the house under their charge. They shall at all fires or alarms thereof, see that the orders of the Chief and Assistant Engineers are punctually obeyed. They shall certify to the correctness of the annual voting rolls. They shall sign all company certificates of election.

DUTIES OF THE FIRST ASSISTANT FOREMAN.

SEC. 14. Whenever the Foreman of a company shall be absent from a fire or alarm, or from sickness or other cause be unable to attend to the duties of his office, all his rights, powers, and responsibilities in and to the department shall devolve upon the First Assistant Foreman of such company during such absence or disability.

SEC. 15. Each steam fire engine company shall have a competent engineer at a salary or compensation of $25 per month, and an assistant engineer at a salary of ten dollars per month whose duty it shall be, under the direction of the Chief Engineer, to see that the engine is at all times ready for immediate service, and at fires and drills work and manage the same. (Amendment: Approved February 24th, 1905.)

SEC. 16. Each steam fire engine company shall have a stoker at a salary of $60 per month, to be paid by the City of Eureka, and an assistant stoker, who shall receive no compensation from the City of Eureka. The stoker must, under the di-

rections of the Chief Engineer, take care of all property in charge of the company, and keep the engine clean; wash and dry all hose after being used; keep the engine house clean and in order, and keep everything ready for immediate service, and at fires and drills fire the engine under the direction of the engineer. The stoker of Engine House No. 1 shall keep the fire alarm system in good order and the stokers shall report to the Chief Engineer any defects in any of the appliances of the fire department that need repairing. The stokers must sleep in the engine house at night, and not go out of the fire limits in the daytime without the permission of the Chief Engineer. It is provided, however, that any of the duties of the engineers or stokers enumerated herein may be performed for them and in their places by their assistants. (Amendment: Approved August 19th, 1902.)

SECRETARY'S DUTIES.

SEC. 17. Secretaries shall keep full and accurate minutes of the proceedings of their respective companies; they shall report to the Chief Engineer the names, occupations, and residence of those elected to membership, also the names of those that have been dropped from the roll; they shall, within five days after the monthly meeting in June of each year, report to the Chief Engineer the names of all active members on the company roll; they shall, within ten days after the election of a member, furnish him with a certificate signed by the Foreman and Secretary.

SEC. 18. The foreman of each fire company shall appoint four members from the company roll to serve as special fire police, whose duties are, whenever a fire shall occur in the City of Eureka, to proceed immediately to the place of such fire and report to the Chief Engineer, or officer in charge, for duty. They shall, when on duty, wear a badge provided for them by this city; they shall obey all orders of the Chief Engineer, and perform such other duties as may be required of them in the protection and care of property placed in their charge during fires.

SEC. 19. Every active fireman must have a certificate of that fact signed by the Foreman of the company to which he belongs, and countersigned by the Secretary. Any member of a company who shall absent himself from the city for the space of three months, without leave of absence, or when guilty of a total neglect of duty, shall be returned to the Chief Engineer as dropped from the roll, and he can be reinstated only by the same process that he became a member.

SEC. 20. None but certificate members of the department shall, under any circumstances, be permitted to hold any office in the department or any company thereof, or to vote at any department or company election, and none shall vote at any department election but those who shall have been certificate and active members at least thirty days immediately preceding the same.

SEC. 21. There is hereby granted to each fire company for the extinguishment of fires occurring in the City of Eureka, and for all other purposes conducive to that end, the use of the engine and other fire apparatus now in its possession, and each company is intrusted with the custody and care of the same, under the directions of the Chief Engineer of the fire department.

SEC. 22. Any person interfering with or wilfully obstructing any fire engine, fire apparatus, or fireman, when in active service at or going to fires, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum of not less than twenty-five dollars and not more than one hundred dollars for such offense.

SEC. 23. It shall be unlawful for any person to drive or lead any dray, cart, carriage, or other vehicle whatever, loaded or othervise (fire apparatus excepted) over or across any fire hose, unless said hose is protected in such a way to prevent

all possibility of injury. For every violation of this section the party offending shall pay a fine, not less than ten dollars nor more than fifty dollars, and also be liable for all damages caused by such act. (Section 24 repealed by Ordinance No. 213.)

SEC. 25. Any person who shall raise or create, or cause to be raised or created, any false alarm of fire within the corporate limits of the City of Eureka, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding fifty dollars, or imprisoned not exceeding ten days, or by both such fine and imprisonment.

SEC. 26. From and after the date that this ordinance takes effect as hereinafter provided, all stovepipes connected with stoves used for cooking, warming or other purposes in any building in the corporate limits of the City of Eureka, shall run into and terminate in a flue constructed in a safe manner of brick and not otherwise, so that the smake and soot shall be carried and delivered from such stove and such pipe into said flue. Such flues shall project above the roofs through which they respectively pass for a distance of four feet, and in no case shall such pipe run or be placed within any wall, ceiling or floor; and further provided, that in no case shall such pipe pass through any wall, floor or roof. Such stovepipes are required to be of good sound iron, and in all cases where the same are unfit or unsafe to be used for such purposes, it shall be the duty of the person or persons owning or using the same to remove the same, or in default thereof, on written demand and notice by the Chief Engineer, he is hereby authorized and empowered to remove the the same at the cost of such person or persons owning or using the same, and in all cases where such flues are put up in such a manner as not to comply with the meaning and provisions of this Ordinance, the Chief Engineer shall notify such person or persons, in writing, of the fact, and it shall thereupon be the duty of such person or persons to alter or change such structure so as to comply with this Ordinance and render the same safe from fire, and in default thereof, the Chief Engineer is hereby empowered and authorized to alter or change, at the cost of such person or persons, such structure or flue so as to comply with this Ordinance; and render the same safe from fire. Any person violating the provisions of this Ordinance and refusing upon proper notice as herein provided to comply with its provisions shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by fine not to exceed one hundred dollars for each offense. (Amended, Ordinance 226.)

SEC. 27. In case of a fire alarm there shall be allowed to the first competent team reporting at the respective fire engine houses the sum of $10; provided, the engine is not taken out of the house in the day time the team first reporting at the engine house shall receive the sum of$5. No team shall be considered comeptent that cannot take the engine from whose house it reports to a fire without stopping, and no claim under this section shall be allowed unless certified by the foreman of the company to whose engine the claimant has reported.

SEC. 28. All Ordinances or parts of Ordinances contrary or inconsistent with the provisions of this Ordinance are bereby repealed.

SEC. 29. This Ordinance shall be in force from and after its approval by the Mayor.

ORDINANCE NO. 351.

AN ORDINANCE ESTABLISHING CALIFORNIA HOSE COMPANY NO. 5.

(Approved June 8th, 1904.)

Be it ordained by the Council of the City of Eureka, as follows:

SECTION 1. There shall be and now is by this ordinance established in the City of Eureka, a volunteer fire company to be known by the name of California Hose Company No. 5.

SEC. 2. This Ordinance shall be in full force and effect from and after its approval by the Mayor.

ORDINANCE NO. 357.

AN ORDINANCE ESTABLISHING SEQUOIA HOSE COMPANY NO. 6.

(Approved July 12th, 1904.)

Be it Ordained by the Council of the City of Eureka as follows:

SECTION 1. A volunteer fire company to be known as "Sequoia Hose Company No. 6" is hereby established and created.

SEC. 2. This Ordinance shall be in full force and effect from and after its approval by the Mayor.

ORDINANCE NO. 367.

(Approved August 18th, 1904.)

An Ordinance Providing for the Acceptance of Deeds from the Board of Education of Eureka School District and from C. G. Taylor for Certain Lands to be used as a Site for Fire Department Engine Houses and Providing for the Payment of the Consideration Thereof. A Piece or Parcel of Land at N. W. Corner of Pratt and California Streets, to be used as a Site for an Engine House, and a Piece or Parcel of Land at J street and Wabash Avenue to be used as a Site for an Engine House. (See Page 248 of Book "C" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 384.

AN ORDINANCE CHANGING THE NAME OF TORRENT FIRE ENGINE COMPANY NO. 3 AND EXTENDING THE RIGHTS AND PRIVILEGES OF SUCH COMPANY.

(Approved March 12th, 1904.)

Be it Ordained by the Council of the City of Eureka as follows:

SECTION 1. The name of Torrent Fire Engine Company No. 3 is hereby changed to Torrent Steam Fire Engine Company No. 3.

SEC. 2. Torrent Steam Fire Engine Company No. 3 is hereby vested with all the rights and privileges of a steam fire engine company of the City of Eureka.

SEC. 3. This Ordinance shall be in force from and after its approval by the Mayor.

GROUP IV.

Franchise Ordinances.

Ordinances
Relative to
Franchises.

(List of Ordinances Relating to Railroad Franchises)

Title Nos. Reference To Titles

89—Granting a Franchise to the Eel River & Eureka R. R. Co.

245—Granting a Franchise to the Eel River & Eureka R. R. Co.

261—Granting a Franchise to the California & Northern R. R. Co.

263—Granting a Franchise to the Eureka & Klamath River R. R. Co.

325—Granting a Franchise to the Bucksport & Elk River R. R. Co.

(Street Car Franchise Ordinances)

305—Granting a Franchise to Operate a Street Car R. R. Co.

318—Granting a Franchise to Operate a Street Car R. R. Co.

344—Granting a Franchise to Operate a Street Car R. R. Co.

377—Granting a Franchise to Operate a Street Car R. R. Co.

387—Granting a Franchise to Operate a Street Car R. R. Co.

(Miscellaneous Franchise Ordinances)

39—Granting Franchise to C. S. Ricks to Lay Water Pipes in Streets.

45—Granting Franchise to Maintain Gas Works and Lay Pipes in Streets.

310—Relative to Granting Franchise to Maintain Telephone & Telegraph Co.

359—Granting a Franchise to North Mountain Power Company.

Franchise Ordinances.

RAILROAD FRANCHISES.

ORDINANCE NO. 89

(Approved May 21st, 1885)

AN ORDINANCE GRANTING CERTAIN PRIVILEGES TO THE EEL RIVER AND EUREKA RAILROAD COMPANY.

A Franchise to operate along the located line of said railroad company to its depot grounds on Second street near "A"; to use so much of Second street as is necessary and convenient as far East as the West line of "A" street. (See Page 169 of Book "A" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 245.

(Approved June 19th, 1899.)

GRANTING TO THE EEL RIVER & EUREKA RAILROAD COMPANY A FRANCHISE TO LAY ITS RAILROAD TRACKS UPON, OVER, ACROSS AND ALONG CERTAIN STREETS AND PROPERTIES AS DESCRIBED BELOW AND TO USE THE SAME AS A RAILROAD SWITCH FOR RAILROAD PURPOSES.

Commencing at a point on the west line of "A" street, if extended, in the said City of Eureka, in the center of a track or switch, said center of said track or switch being thirty-three feet south of the south line of First street, if the same were extended; thence easterly through the real properties of McKay & Co., Pacific Coast Steamship Company, H. H. Buhne Company, E. H. Vance and S. A. Vance, Elizabeth P. Kingston, Thomas Baird, Excelsior Redwood Company, Eureka and Klamath River Railroad Company, Margaret H. McDonald, Lincoln Mill Company, Dolbeer & Carson Lumber Company, Melinda M. McCann, N. H. Pine, Noah Abrahamson, J. G. Loveren, Robert L. Haughey, H. W. Wandesforde, and the California, Oregon and Idaho Railroad Company to the real property of Peter Tydd. For these purposes said Eel River and Eureka Railroad Company, a corporation, shall have the right, upon the terms and conditions hereinafter contained to lay a single railroad track, of standard gauge, upon and over the said real properties and over, across and along any and all streets, over across and along which said streets it will be necessary for said Eel River and Eureka Railroad Company, a corporation, to pass, with its said railroad track, said track however, to cross over and along said streets at the points or places indicated and located on

that certain map filed with the City Clerk of said City of Eureka, on the 2nd day of May, 1899, and showing the location of the proposed railroad switch of the said Eel River and Eureka Railroad Company through the said City of Eureka, and to use said railroad track for railroad purposes.

(See page 323 of Book "B" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 261.

(Approved April 10th, 1901.)

Granting to the California & Northern Railway Company, a corporation, its successors and assigns a franchise to lay its track upon and along certain streets and properties within and through the City of Eureka, and to use the same for railroad purposes.

(The terms and conditions of this Franchise are the same as those contained in the Franchise granted to the Eureka & Klamath River R. R. Co., and contained in Ordinance No. 263.)

The California & Northern Railway Company is granted permission to lay its track over the route described as follows: Beginning at a point in the center of Eureka Slough on the eastern limits of the City of Eureka, eighty-two and nine-tenths (82.9) feet south of the south line of First street extended, and nine hundred and ninety-four and six-tenths (994.6) feet east of the east line of "Y" street, Eddy Tract, Eureka; thence south 85 degrees 50 minutes, west two hundred and seventy (270) feet; thence by curve to right eight hundred and twenty-four (824) feet (radius of curve 1719 feet) to the center line of Eel River and Eureka Railroad Company's switch; thence by curve to left three hundred and fifteen (315) feet (radius of curve 3438 feet) thence by compound curve to left one hundred (100) feet (radius of curve 1910 feet); thence by compound curve to left one hundred (100) feet (radius of curve 1433 feet); thence by compound curve to left three hundred (300) feet (radius of curve 1146 feet); thence by compound curve to left on hundred feet (radius of curve 1332.7 feet); thence by compound curve to left one hundred (100) feet (radius of curve 1910 feet); thence by compound curve to left fifty (50) feet (radius of curve 2865 feet); thence by compound curve to left fifty (50) feet (radius of curve 5730 feet); thence by tangent south 77 degrees and 15 minutes west, fifteen hundred and fifty-three (1553) feet; thence by curve to left two hundred and twenty-five (225) feet (radius of curve 2387 feet); thence by tangent south, 71 degrees 51 minutes west, five hundred and seventy-nine (579) feet; thence by curve to right one hundred and twenty (120) feet (radius of curve 3183 feet); thence by compound curve to right sixty-six (66) feet (radius of curve 1563 feet); thence by compound curve t o right three hundred and thirty-five (335) feet (radius of curve 2149 feet); thence by tangent south 85 degrees, 21 minutes west four hundred and ninety-seven (497) feet; thence by curve to right two hundred and fifty-eight (258) feet (radius of curve 1910 feet); thence by tangent north 86 degrees, 55 minutes west eight hundred and eighty-five (885) feet; thence by curve to left two hundred and seventy-six and two-thirds (276 2-3) feet (radius of curve 1146 feet); thence by tangent parallel to First street ninety-six (96) feet; thence by curve to left one hundred and fifty (150) feet (radius of curve 2262 feet); thence by compound curve to left one hundred and fifty (150) feet (radius of curve 2865 feet); thence by tangent south 72 degrees, 27 minutes west one hundred and eighty-five (185) feet; thence by curve to left three hundred and nine (309) feet (radius of curve 955.4 feet); thence by tangent south 53 degrees 55 minutes west, eighty-eight

and one-half (88½) feet; thence by curve to right four hundred and twenty-two (422) feet; (radius of curve 955.4 feet); thence by tangent parallel to Second street (92.2 feet to west line of A street and 33 feet south of the south line of First street) seven hundred and seventy and 27-100 (770.27) feet in all to beginning of curve; thence by curve to left thirteen hundred and fifty-two and 5-10 (1352.5) feet (radius of curve 1719 feet); thence by tangent south 34 degree and 10 minutes west twelve hundred and fifty-seven and 6-10 (1257.6) feet; thence by curve to left nineteen hundred and five and 6-10 (1905.6) feet (radius of curve 5808 feet); thence by tangent south 15 degrees and 22 minutes west fifteen hundred and twenty-five (1525) feet; thence by curve to right twelve hundred and fifty-two and 8-10 feet (radius of curve 5652 feet); thence by tangent south 28 degrees, 4 minutes west, twenty-two hundred and five and 6-10 (2205.6) feet; thence by curve to left six hundred and forty-three (643) feet (radius of curve 2943 feet); thence by tangent south 15 degrees 33 minutes west, nineteen hundred and three and 8-10 (1903.8) feet; thence by curve to left six hundred and eighty-six and 4-10 (686.4) feet to the city limits of the City of Eureka, on the center line of section thirty-three (33), township five (5) north, range one (1) west, Humboldt Meridian.

(See page 364 of Book "B" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 263.

GRANTING TO THE EUREKA AND KLAMATH RIVER RAILROAD COMPANY, A CORPORATION, AND THE HUMBOLDT RAILROAD COMPANY, A CORPORATION, JOINTLY THEIR SUCCESSORS AND ASSIGNS, A FRANCHISE TO LAY RAILROAD TRACKS UPON AND ALONG CERTAIN STREETS AND PROPERTIES IN THE CITY OF EUREKA, AND TO USE THE SAME FOR RAILROAD PURPOSES.

(Approved April 30th, 1901.)

Be it ordained by the Council of the City of Eureka as follows:

Section 1. There is hereby granted to the Eureka and Klamath River Railroad Company, a corporation, and to the Humboldt Railroad Company, a corporation, jointly, and to their successors and assigns, the right to construct, maintain and operate by trains and cars propelled by steam locomotives or electric motors, or otherwise, a standard guage railroad with all necessary tracks, side-tracks, switches, and other appurtenances, within and through the City of Eureka upon those certain streets and properties as set forth by a map filed herewith: The route or line of location of said railroad to be described as follows:

Beginning at the south boundary line of the City of Eureka, in Bucksport in Section thirty-three (33) township five (5), north of range one (1) west, Humboldt Meridian, at a convenient point situated about one hundred (100) feet east of the center line of the Eel River & Eureka Railroad as the same is now constructed; thence running along, over and across certain streets of Bucksport in a northerly direction along a convenient line situated in close proximity to said last mentioned railroad and on the easterly side thereof, passing through sections thirty-three (33), twenty-eight (28) and twenty-two (22), township and range aforesaid to a convenient point about two hundred and sixty (260) feet west of the west line of "A" street, produced, in the City of Eureka, and fifty (50) feet south of the

south line of Second street, produced, in said City, thence northeasterly across Second street and through the property of McKay and Company along a convenient line to the center of First street; thence along the center line of First street to the property now owned by the Eureka & Klamath River Railroad Company; thence easterly through said last named property to a point on the west line of J street two hundred and one (201) feet northerly from the north line of Second street; thence by a four (4) degree curve to left across J street, ninety (90) feet to a point twelve (12) feet east of J street; thence north eighty-five (85) degrees (30) minutes east five hundrd (500) feet; thence by a two (2) degree curve to left seven hundred and seventy-five (775) feet; thence along a tangent north sixty-nine (69) degrees, (45) minutes east one hundred and forty-eight (148) feet; thence by a two (2) degree and thirty (30) minutes curve to right two hundred and ninety (290) feet; thence along a tangent north seventy-seven (77) degrees east, seven hundred and forty (740) feet; thence by a two (2) degree and thirty (30) minutes curve to right three hundred and twenty (320) feet; thence by compound curve one (1) degree and thirty-eight (38) minutes to right four hundred and fifty (450) feet to a point in the center of First street in the Eddy Tract, a distance of fifty-four (54) feet west of the west line of "U" street. Thence by tangent along the center of said First street and thence easterly to the east boundry of the City of Eureka.

And for these purposes the said Eureka and Klamath River Railroad Company and the said Humboldt Railroad Company, jointly, shall have the right and hereby given the right, upon the terms and conditions hereinafter contained, to lay, construct, use, operate and maintain, a railroad track of standard guage, upon, over, and across and along said real properties above named, and upon, over and across and along any and all streets, over, across and along which it will or may become necessary for the said Eureka & Klamath River Railroad Company and the said Humboldt Railroad Company to pass with said railroad track along said line of location and to use the same for railroad purposes.

Sec. 2. The grants and franchises mentioned in Section 1 are made upon the following conditions, to-wit:

First:—The aforesaid companies, when directed by proper authorities of the city, shall construct and put in switches, spurs, or sidetracks when practical, and when the same can be used advantageously, for the accommodation of the owners of wharves, warehouses, mills and other lines of business; all of which shall be constructed at the expense of the said owners desiring the same, and upon lines fixed and established by the engineers of said railroad companies.

Second:—Said railroad companies upon the order of the City Council, shall plank or replank, pave or repave, gravel or regravel, macadamize or remacadamize the portions of said streets situated between the rails of said tracks and for a distance of two feet on either side of the rails of said tracks, and shall keep the same and crossings in repair and flush with the streets. The work done, as herein required, shall be of the same character of that of the street or streets along which said tracks are laid. Said work shall be done to the satisfaction of the officer named by said Council to look after said work. Should said companies fail, neglect or refuse to do said work within ten days from date of service of said order then the city may cause said work to be performed at the expense of said companies. The expense so incurred shall be paid to said city upon the presentation of an itemized statement of the expenses so incurred.

Fourth:—Said railroad companies shall keep said tracks in good repair and shall construct the same so as to interfere as little as possible with the free use thereof and with safe and convenient travel thereover.

Fifth: Other railroad companies that are common carriers shall have the right in conformity with the laws of this State to cross said railroad at points where such crossings may be necessary.

Sixth:—The running and operating of cars, trains or locomotives over and upon said railroad laid down under the authority of this franchise shall be subject to police regulations, concerning the same, which may be adopted by Council.

Seventh:—The grade of said railroad passing across streets shall conform, if not impracticable, to the official grade now established at said crossings, provided, however, if the grade of streets or parts of streets be changed, along, over and across which said railroad passes, to conform with the railroad constructed thereupon whether such change be made by the City or otherwise, then the expense of making such change shall be borne by said companies and the said companies shall hold said city harmless from all damages and costs caused thereby to the property of others where action for damage could be maintained against the City.

Eighth:—No discrimination shall be made for hauling carload lots from points beyond said city to any wharf, warehouse, or place in said city connected by switches with said railroad; but such charges shall be uniform.

Sec. 3. The said railroad companies shall allow connection with said railroad within the city limits to be made by another company that is a common carrier and whose railroad passes through or terminates at or within the city limits; and shall permit the trains and cars owned by said other company to pass over along said railroad within the corporate limits of said city by payment of a reasonable toll therefor. Provided, however ,if the arangements proposed by said Eureka & Klamath River Railroad Company and said Humboldt Railroad Company for such use of their said railroad over, along and across the streets of the city, be not reasonable or equitable; the said other company desiring such use, may ask the City Council to act as arbitrator, and the judgment of said Council as to the amount to be paid by said other company for such use of said railroad over, along and across the streets of said city, shall be final and conclusive, provided further, that the movement and operation of trains and cars along, over and across, said railroad shall be controlled by and under reasonable rules and regulations to be adopted by the said Eureka & Klamath River Railroad Company and Humboldt Railroad Company, their successors and assigns; provided further, that such other railroad company that is a common carrier desiring such connections with said railroad as aforesaid, shall extend like, equal and reciprocal privileges to said Eureka & Klamath River Railroad Company and to said Humboldt Railroad Company, jointly, or to their successors or assigns upon like payment of like toll.

Sec. 4. The franchise, and all rights and privileges hereby granted and conferred by this ordinance to the said Eureka and Klamath River Railroad Company and the Humboldt Railroad Company, are granted and conferred to said companies jointly; provided, however, that either of said companies may sell or assign to the other all its rights and privileges acquired hereby, and upon so doing, the said company so acquiring the said rights and privileges hereby granted to said companies jointly, to the same extent and with the same force and effect as though the franchise ,rights and privileges granted and conferred by this ordinance to said companies jointly, had been granted in the first instance to the company alone, which may purchase or acquire all the rights and privileges of the other company.

Sec. 5. The franchise hereby granted shall continue for the period of fifty years from date hereof.

Sec. 6. This franchise is granted upon the terms and conditions named and contained herein. Failure on the part of said companies, their successors or as-

signs, to keep and perform the same may furnish cause for forfeiture of said franchise.

Sec. 7. This ordinance shall be in force from and after its passage.

ORDINANCE NO. 325.

(Approved Dec. 17th, 1903.)

An Ordinance granting to the Bucksport and Elk River Railroad Company, a corporation, a franchise to lay railroad tracks along Christie Street of the old town of Bucksport and that portion of the continuation thereof called "A" street of Robert's Addition to said town of Bucksport, which lies within the corporate limits of the City of Eureka, and to use the same for railroad purposes.

(See page 94 of Book "C" of Ordinances, City Clerk's Records.)

STREET CAR FRANCHISES.

ORDINANCE NO. 305.

GRANTING THE PRIVILEGE TO CONSTRUCT AND OPERATE A STREET RAILROAD IN THE CITY OF EUREKA, UNDER THE PROVISIONS OF THE CHARTER OF SAID CITY, AND PROVIDING FOR THE PURCHASE AND OWNERSHIP THEREOF BY THE CITY AND PROVIDING FOR A BOND FOR THE PERFORMANCE OF THE CONDITIONS OF THE SAME, AND A PENALTY FOR THE BREACH THEREOF.

(Approved February 25th, 1903.)

Be it Ordained by the Council of the City of Eureka, as follows:

SECTION 1. There is hereby granted to the person, persons or corporations that agree to pay semi-annually the largest percentum of the gross receipts of a street railroad to be operated under this ordinance, their successors and assigns, the franchise, right of way and privilege of laying down and maintaining for the term of fifty (50) years from and after the passage of this ordinance, a single track railway operated by electricity, cable or other motive power, except steam or animals, with all necessary and convenient tracks for curves, turnouts, switches, sidetracks and appurtenances and with right of way for necessary poles and wires or other appurtenances to the maintainence and operation of said railway in, on, over and along the following named streets in the City of Eureka, to-wit:

Commencing at the south side of wharf on the north end of "J" street; thence southerly along "J" street to Harris street.

Commencing at the south side of wharf on north end of F street; thence southerly along "F" to City limits.

Commencing at the south side of wharf on north end of "C" street; thence southerly along "C" street to Dollison street.

Commencing at the point of intersection of Second and "N" streets; thence westerly along Second street to "A" street; thence southerly along "A" street to the intersection of Fifth and Summer streets; and thence along Summer street to Clark street; and thence along Clark street to Broadway street; thence southerly along Broadway street to the City limits.

Commencing at the point of intersection of Broadway and Fairfield streets; thence along Fairfield street, if extended, to Harris street; thence westerly along Harris street to Broadway, and easterly along Harris to Harrison Avenue.

Commencing at the point of intersection of Murray street with Humboldt Bay; thence easterly along Murray street to Railroad Avenue; thence northerly along Railroad Avenue to Cedar street; thence easterly along Cedar street to "C" street.

Commencing at the point of intersection of Summer and California streets; thence southerly along California street to Harris street; thence southerly along California street to Harris street; thence easterly along Harris street to California street, extended; thence along California street, extended, to the southern limit of the City.

Commencing at the point of intersection of Summer and Fifth streets; thence easterly along Fifth street to Myrtle Avenue; thence along Myrtle Avenue to Harrison Avenue; thence southerly along Harrison Avenue to Harris street.

Commencing at the point of intersection of "E" street and Ninth; thence easterly along Ninth street to "P" street; thence north along "P" street to Fifth street.

Commencing at the point of intersection of Broadway and Wabash avenues; thence easterly along Wabash Avenue to California street.

Commencing at the point of intersection of California and Dollison streets; thence easterly along Dollison street to "F" street; thence along "F" street to Carson street; thence easterly along Carson street to "Q" street; thence southerly along "Q" street to Harris street.

Commencing at the point of intersection of Harris and "W" streets, thence southerly along "W" street to City limits.

Commencing at the point of intersection of California street and Wabash Avenue; thence easterly along Wabash Avenue to "H" street; thence northerly along "H" street to 16th street; thence easterly along 16th street to "J" street.

In all cases where streets are herein named, as points of commencement or termination of lines of railway, the center lines thereof are in each instance intended as such point.

Provided, however, that if in the judgment of the Council a double track along or upon any of the streets aforesaid is necessary to accommodate the public travel, the Council shall upon the application of the grantees herein or their assigns, permit a double track to be placed in and upon said streets, subject, however, to all the terms, conditions and restrictions herein contained.

SEC. 2. The above franchise and privileges are granted on the following conditions:

1. Said road shall be constructed throughout its entire length in the center of the streets along or over which it passes, or as near thereto as practicable.

2. Only such rails shall be laid as are of the most approved rail pattern for street railway operated by electricity, cable or other motors.

3. Said grantees and assigns shall plank, pave or macadamize the entire

length of said route between the rails and for two feet of each side thereof, and the center area between double tracks and between either of them and side tracks to correspond with said streets when the same shall be planked, paved or macadamized, and shall keep the same constantly in good repair, flush with the grade of the street, or the natural surface of the streets between the rails, by paving or macadamizing whether said streets are macadamized or paved, or not, and provided with good crossings for all kinds of vehicles, and with all necessary and proper flumes and culverts for the free and uninterrupted passage of water under said track. The track shall not be more than five feet between the rails, and there shall be a space between the main tracks and the side tracks, turnouts, and switches and between double tracks sufficient to allow cars to pass freely and without danger.

4. The laying of said track and all side tracks, switches and turnouts shall conform in all cases to the grade of the street where the grade of any of said streets has been established, and such streets graded to such grade and in all other cases as near to the natural grade of said street as practicable; and when at any time any part of the route shall be graded, or the grade thereof changed or altered by the City Council the bed of the road and the tracks thereof shall be made to conform therewith, without charge, expense, or damage to the City of Eureka.

Provided, that no switch shall be constructed or maintained within fifty feet of any cross street except by permission of the Council first obtained.

Provided also, that whenever suspended wires or conductors are used, they shall be stretched and maintained at an elevation of not less than eighteen feet above the grade of the street, and the poles shall be of uniform size and height, neatly painted and at as nearly equal distance from each other as practicable; and no two poles closer than is reasonably necessary, and all underground wires or conductors shall be placed in the ground at a reasonable depth, to be determined by the City Engineer, and all wires or conductors shall be placed in the most approved manner for the purpose of protecting the public.

And provided, also, that all excavations for sinking wires, or conductors, or for other purposes, shall be refilled, and the earth replaced so as to render the surface of the earth in the same condition as before excavating.

5. It shall be the duty of the Superintendent of Streets to see that said railroad is constructed in accordance with the requirements of this ordinance.

6. The road is to be used for the carriage of passengers, mail and express matter, packages, and commodities in cars.

Provided, that the carrying of freight shall not hinder or delay the carrying of passengers on said road, and provided, further that the Council may, by resolution, receiving four affirmative votes of said Council, and after sixty days notice to the holder of said franchise, declare the streets except Second street upon which freight may be carried under this franchise.

And, provided further, that no freight shall be carried over said road, excepting between the hours of 10 p. m. of one day and of 6 a. m. of the succeeding day, and provided further, that said road shall not be used for the carriage of redwood or other logs, live stock or explosives, and provided, further, that no freight shall be carried along Second street. And that no car shall be detached from any steam railroad and transported over any of the tracks under the provisions of this franchise.

A failure to comply with any of the conditions relative to hauling freight herein set forth within ten days after a written demand by the Council has been served upon the Company, corporation, or owner of said franchise, shall be cause for

the forfeiture of said franchise. And the same may be thereupon declared forfeited by the Council.

7. There shall be a daily service over the entire route with not more than one hour's interval between cars between the hours of 6 a. m. and 9 p. m., unless prevented by the Act of God, strikes or inevitable accident.

8. The motors and cars shall be equipped with the best fenders and appliances for the protection of life, used or known to be in use in the business of street railroading.

9. The rate of fare for any distance along said route shall at no time exceed five (5) cents within the limits of said City, for one passenger, and transfers for said fare shall be given to passengers and accepted from passengers to enable the passenger to reach his or her destination within the City, if going in one general direction.

10. Members of the police force of the City of Eureka, and mail carriers in the employ of the United States government, at all times while engaged in the discharge of duty, and members of the fire departmnt, going to or rturning from fires, on showing their badge shall be permitted and allowed to ride on the cars of said company without paying any sum of money whatever for fare or otherwise.

Pupils who are sixteen years of age and under and who are attending the public schools of the City of Eureka, shall be required to pay but one-half of said five-cent fares, for riding on any of the cars on said route, in going to or from school during the following hours of the day, when schools are in session, to-wit: From 8 a. m. to 4:30 p. m., during school days, provided, however, that pupils riding for such half fares must purchase tickets for the same in quantities of at least $1.00 worth at a time.

11. All cars used upon said railroad shall be of the most improved construction for the comfort, convenience and safety of the public and passengers, and shall be provided with sufficient brakes and other means for stopping the same when required.

12. Nothing in this ordinance shall be construed as in anywise to prevent the proper authorities of said City from granting to another street railroad company the use of the same streets, or track, or any part thereof, for like purpose, and when so granted they shall pay for the use of the rails already laid and an equal share of the cost of construction of the track and appurtenances, and maintaining that portion of the railroad occupied jointly, and thereupon shall be entitled to the joint use of such parts of said railroad; provided, such grant shall be limited to not more than five blocks, nor to prevent the City from sewering, grading, paving, planking, repairing or altering any of the streets hereinbefore specified; but all such work shall be done if possible, so as not to obstruct the free passage of the cars upon the said railroads; and when the same shall be possible, the said authorities, before the commencement of said work, shall allow to the owners of said railroad, time sufficient to enable them to shift the rails or take other means so as to avoid said obstruction during the continuance thereof, which the said owners are authorized so to do.

13. For the purpose of laying down or repairing said railroad not more than the length of two blocks shall be obstructed at any one time, nor for a longer time than ten working days, and at the expiration of said ten days, said owners or their agents shall forthwith remove all stone, lumber, dirt, and all other rubbish of every kind, and leave the street as clean and in as good order as it was at the commencement of said improvement, or laying down of said railroad track and thereafter keep the same streets in repair inside of each track, and between the tracks when there

is more than one track. Provided the same is not prevented by the Act of God, strike or inevitable accident.

14. At no time shall said railroad cars be allowed to stand across any street crossing, nor shall said railroad cars be allowed to stand on any street except for the purpose of operating the same; and then not longer than thirty minutes at any one time except at the end of the route, unless some accident has occurred, which shall render it impossible for said cars to be moved.

15. When the road herein provided for shall intersect any other road hereafter constructed, the rails of each shall be so altered or cut as to permit the cars to cross without obstruction; and nothing in this ordinance shall be so construed as to prevent any other railroad company hereafter former, from crossing the road herein mentioned at any point in like manner, except at switches and turnouts.

16. The City expressly reserves the right to purchase said street railroad and all its appliances at any time after twenty-five years from the granting of this franchise, and to become the owner of the same upon payment of the reasonable value thereof; to be determined by agreement between the owner or owners of said street railroad, and the Council of the City of Eureka, and if the owners of said railroad and the Council of the City of Eureka do not agree upon the price thereof, each shall select an arbitrator and the two so selected shall agree upon a third arbitrator, and the valuation fixed by said arbitrators shall be conclusive.

Any permission granted under the provisions of this ordinance shall be subject to such Police Regulations as the Council may hereinafter adopt.

All poles erected, or maintained under the provisions of this ordinance, shall be placed inside of, and against the curb of the sidewalk. Said poles shall be maintained perpendicular, shall be kept painted, and free from signs, posters and all advertising matter. The owners of said poles may place thereupon the words:— "Post no Bills."

It shall be the duty of any person, persons or corporation, or company, obtaining the permission hereinabove mentioned, to repair any damage caused in erecting its poles or wires, and to restore all sidewalks, gutters, streets or pavements displaced or injured in the erection, alteration, removal or maintainance of its poles or wires without expense to said City.

Whenever wires or poles or both, which have been erected, or are maintained under permission granted under the provisions of this ordinance, are an obstruction to the moving of any building along any of the streets of the City, alleys or public places of said City, the grantee of this franchise shall remove said obstruction at his or its own expense, to permit the passage of said building, upon being served with at least twenty-four hour's written notice by the person or persons moving said building; provided, that said building shall thereupon be moved expeditiously and without delay so as to impede the operation of said railway as little as possible; and provided further, that in all cases where it is reasonably possible, to move said building without encountering said poles or wires, said building shall be moved accordingly, and with that object in view.

SEC. 3. This franchise and the privileges hereinbefore contained, is offered to the person, persons, company or corporation that shall agree to pay semi-annually the largest per centum of the gross receipts of such road, according to a verified statement of the same.

Provided, that such verified statement is not conclusive against the City. Such verified statement must be sworn to by the president or secretary or one of the directors of said company or corporation, or by the person owning such railroad, and must show the amount of the gross receipts of said railroad within the City

of Eureka received by the owner, or owners thereof, for each calendar month during the six calendar months immediately preceding the filing thereof, as hereinbefore set forth, and must be filed with the Clerk of said City of Eureka between the first and the fifteenth days of January and the first and fifteenth day of July of each year after this franchise shall take effect. At the time of filing such verified statement the percentum of gross receipts for the said six months agreed to be paid for said franchise must be paid to the City Clerk.

The company, corporation or person owning such franchise must cause to be entered in a book to be kept at its or his place of business the daily gross receipts of said railroad, in said City of Eureka,which book shall always be open to the inspection of the Council of said City of Eureka.

Where the gross receipts of said railway consist partly of receipts from through rates from points within the City to points without the City, or vice versa, the amount thereof upon which the percentage of the City shall be reckoned, shall be the proportion of such receipts from through rates that the mileage of such transportation within the City bears to the total mileage over which such freight and passengers are transported.

SEC. 4. It is understood and agreed that the City expressly reserves the right to regulate the speed of cars under this franchise so as to best serve the interests of the public, and to use and control all its public streets for any and all purposes not inconsistent with the rights herein granted, such use to be made so as to obstruct or injure said road as little as possible, and when work upon or other use of said streets makes the same necessary, the grantees or assigns of said franchise shall shift the same, at his, its or their own expense, so as to avoid the obstruction made thereby.

SEC. 5. Nothing in this ordinance contained shall be construed to render or hold the City of Eureka liable for any damages occasioned by the exercise of the franchise or privileges hereby granted; it being distinctly understood and agreed that the grantee or grantees hereunder of said rights and privileges shall be alone responsible for all damages that may be occasioned by carrying out the rights and privileges hereby granted by the franchise.

SEC. 6. The above rights and privileges are granted upon the express conditions that the work to construct the said road shall be commenced in good faith within six months from the time of granting and acceptance of this franchise, and that at least two miles of said track shall be laid, equipped and operated within eighteen months after the granting and acceptance of said franchise, and that at least five miles of said track shall be laid, equipped and in operation within three years from the granting and acceptance of said franchise. It is further agreed and made a condition hereof that there shall be included in said five miles to be built, equipped and operated within three years, a line of road from Harris street via California street, Cedar and "A" street to Second street, and also a line from Harris street via "J" street to Second street, and also a crosstown connection between California street and "J" street via Wabash avenue, "H" street and 16th street to "J" street.

And if said work is not commenced within six months, or if two miles of track are not laid within eighteen months from the granting and acceptance of said franchise, or if five miles of track shall not be laid, equipped and in operation as above stated within three years from the granting and acceptance of said franchise, then in either of said events the said franchise so granted, and all the rights and privileges arising out of it shall be absolutely forfeited and become null and void.

In the event that all said conditions have been complied with at the expiration

of said three years, then the said franchise shall be forfeited only as to the portion of said street railroad herein provided for then uncompleted.

Furthermore, this franchise is herein especially granted upon each and all of the provisions and conditions herein contained; and if said grantees or assigns shall fail in any particular not herein otherwise provided for to comply therewith, after due and reasonable demand, in writing, by the proper authorities, then and in that case all rights under this ordinance shall be forfeited, and this grant shall thereupon be null and void. Nothing herein contained shall be construed as granting an exclusive franchise.

SEC. 7. This ordinance shall be of no effect to vest the rights or privileges herein granted or delegated unless the parties or corporations whose bid for the franchise herein granted on behalf of themselves or associates, and all others claiming by, through or under them, shall within thirty days after the awarding of said franchise by said Council, accept the grants and privileges herein and hereby granted and extended, together with all and singular the provisions, restrictions and conditions herein set forth, and file within such time such acceptance with the City Clerk and also file with his or its said bid a bond made payable to the City of Eureka, with at least two good and sufficient sureties or surety company to be approved by the Council, in the penal sum of twenty thousand dollars ($20,000), conditioned that such bidder will well and truly observe, fulfill and perform each and all of the conditions, terms and obligations of the franchise, and especially provided that if such bidder so awarded said franchise shall fail to commence said work within six months, or lay two miles of track and equip and operate same, within eighteen months, as hereinbefore provided, or have five miles of said track laid, equipped and in operation within three years, as hereinbefore provided, such bidder his or its assigns or successor, shall pay to the City of Eureka the damage suffered by said City, by said failure, which shall be fixed by said bond as liquidated damages in the sum of ten thousand dollars ($10,000) for the failure to comply with either or all of said conditions, and as such, will be recovered by the City of Eureka from the principal and sureties on such bond. And the Council shall have the right to require a new bond or additional sureties thereon at any time it may deem the same insufficient.

SEC. 8. This ordinance shall take effect from and after its final passage as provided by the Charter of the City of Eureka.

ORDINANCE NO. 318.

(Approved November 13th, 1903)

An Ordinance granting the privilege to construct and operate a street Railroad in the City of Eureka, under the provisions of the Charter of said City, and providing for the purchase and ownership thereof by the City, and providing for a bond for the performance of the conditions of the same, and a penalty for the breach thereof. The line of Street Railroad to run as follows: Commencing at the north side of First street on E street; thence southerly along E street to Harris street.

(See page 74 of Book "C" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 344.

(Approved June 8th, 1904.)

An Ordinance Granting the Privilege to Construct and Operate a Street Rail-

road in the City of Eureka under the Provisions of the Charter of Said City, and Providing for the Purchase and Ownership Thereof by the City, and Providing for a Bond for the Performance of the Conditions of the Same, and a Penalty for the Breach Thereof. The Line of Street Railroad to run as follows: Commencing at a point in the center of Fifth street, at the intersection of "Q" street, of the Eddy Tract, if the same were extended South to Fifth street; thence North along "Q" street to Second street; thence East along Second street to a point 491 and 6 tenths feet East of the East line of "X" street; thence on a six (6) degree curve to right 645 and 3 tenths feet; thence South 51 degrees, 17 minutes East to the Eastern City limits. Commencing at the intersection of "S" and Harris street; thence South to Hodgson Street; thence East on Hodgson Street to "W" Street. (See Page 137 of Book "C" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 377.

(Approved March 14th, 1905.)

An Ordinance Granting the Privilege to Construct and Operate a Street Railroad in the City of Eureka, Under the Provisions of the Charter of said City, and Providing for the Purchase and Ownership Thereof by the City, and Providing for a Bond for the Performance of the Conditions thereof. The Line of Street Railroad to run as follows: Commencing at the intersection of Railroad Avenue and Cedar street; thence Northerly on Railroad Avenue to its Northerly terminus. Commencing at the intersection of Whipple and Broadway streets; thence Westerly along Whipple street to its Western Terminus. Commencing at the intersection of Clark and Broadway streets; thence Northerly along Broadway to its intersection with Union street; thence Northerly on Union Street to its Northern terminus. Commencing at the intersection of Fifth and L streets and running thence Northerly along L street to its Northern terminus. Commencing at the intersection of D and Fifth Streets and running northerly along D street to its northern terminus. Commencing at the intersection of Fifth and P streets, and running thence Easterly by curves, passing over private property to Fifth Street (Eddy Tract); thence East on Fifth Street to its Easterly Terminus; thence Easterly over private property to the East limits of the City of Eureka. (See Page 267 of Book "C" of Ordinances, City Clerk's Records.

ORDINANCE NO. 387.

(Approved June 13th, 1905.)

An ordinance Granting the Privilege to Construct and Operate a Street Railroad in the City of Eureka, Under the Provisions of the Charter of Said City, and Providing for the Purchase and Ownership Thereof by the City, and Providing for a Bond for the Performance of the Conditions Thereof. The Line of Street Railroad to run as follows: Commencing at the intersection of Seventh and "J" Streets; thence Easterly along Seventh street to "D" Street. Commencing at the intersection of Union and Cedar Streets; thence along Union Street to its Southerly terminus. Commencing at the intersection of "U" and Glatt Street, (at the north side of Glatt Street); thence Northerly along "U" Street to Russ Street. Commencing at the intersection of "F" and Russ streets; thence Easterly along Russ street to "D" Street. Commencing at the intersection of "T" and Fifth Streets, Eddy Tract; thence Northerly along "T" Street to First Street. (See Page 303 of Book "C" of Ordinances, City Clerk's Records.)

MISCELLANEOUS FRANCHISES.

ORDINANCE NO. 39.

(Approved July 16th, 1877.)

An Ordinance to Permit C. S. Ricks to Lay Water Pipes in the Streets of Eureka. (See Page 81 of Book "A" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 45.

(Approved February 13th, 1878.)

An Ordinance to Permit Herbert Kraft to Erect and Maintain Gas Works and to Lay Mains and Pipes in the City of Eureka. (See Page 91 of Book "A" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 310.

(Approved May 20th, 1903.)

An Ordinance Granting the Privilege to Construct, Operate and Maintain an Intra-State Telephone, and Telephone and Telegraph System in the City of Eureka. (Franchise under this Ordinance Forfeited.) (See Page 62 of Book "C" of Ordinances City Clerk's Records.)

ORDINANCE NO. 359

GRANTING TO THE NORTH MOUNTAIN POWER CO., A CORPORATION, ITS SUCCESSORS AND ASSIGNS, PERMISSION AND AUTHORITY TO ERECT AND MAINTAIN POLES AND WIRES IN, UNDER AND UPON CERTAIN STREETS, AVENUES, ALLEYS, PUBLIC PLACES AND GROUNDS IN THE CITY OF EUREKA, ACCORDING TO THE AMENDED PLAT OF SAID CORPORATION NOW ON FILE IN THE OFFICE OF THE CLERK OF THE CITY OF EUREKA, WHICH AMENDED PLAT SHOWS THE LOCATION OF PROPOSED POLES AND WIRES, APPROVING SAID AMENDED PLAT, AND GRANTING TO SAID CORPORATION THE RIGHT TO USE SAID POLES AND WIRES FOR THE TRANSMISSION OF ELECTRICITY FOR LIGHTING AND POWER PURPOSES.

(Approved August 4th, 1904.)

Whereas, the North Mountain Power Co., a corporation organized and existing under the laws of the State of California, did on July 19, 1904, file with the Clerk of said City, its plat showing its proposed location of poles and wires in and

upon the streets, avenues, alleys, public places and grounds in said City, as marked thereon, and said plat having been amended, and being now as amended, on file in the office of the Clerk of said City, and said Corporation having this August 2nd, 1904, presented and filed with the Clerk of said City of Eureka, its petition praying for permission and authority for itself, its successors and assigns, to erect and maintain its poles and wires as marked and delineated upon its said amended plat, in, under and upon certain streets, avenues, alleys, public places and grounds in said City, for the transmission of electricity for lighting and power purposes; and said plat as amended being satisfactory to said Council of said City; and

Whereas, said petition and plat as amended, are in compliance with the provisions of Ordinance No. 329 of the City of Eureka, providing for the granting of permission and authority asked by said corporation; therefore

Be it ordained by the Council of the City of Eureka, as follows:

SECTION 1. There is hereby granted to the North Mountain Power Co., a Corporation, its successors and assigns, in accordance with the provisions of Ordinance No. 329 of the City of Eureka, permission and authority to erect and maintain in, under and upon those certain streets, avenues, alleys, public places and grounds in the City of Eureka, its poles and wires as the same are marked and delineated upon its amended plat now on file in the office of the Clerk of the City of Eureka, which plat is marked "North Mountain Power Co's. Plat of Poles and Electric Wires, City of Eureka, Cal.," and to use such poles and wires for the transmission of electricity for lighting and power purposes.

SEC. 2. The said plat as amended and now on file in the office of the Clerk of said City of Eureka, is hereby approved.

SEC. 3. This Ordinance shall take effect from and after its approval by the Mayor.

GROUP V.

Public Health Ordinances.

Ordinances

Relative to

Public Health.

(List of Ordinances Relating to Public Health.)

Title Nos. Reference To Titles

139—Regulating the Sale of Morphine and Cocaine.

210—Regulating Slaughter Houses; Offensive Ocupations; Offal; Garbage.

259—Regulating the Disposition of Garbage; Providing for Garbage Master.

284—Requiring Report of Births, Deaths and Diseases to Health Officer.

304—Prohibiting Discharge of Offensive Matter on Sidewalks or Crossings.

332—Creating Officer of Meat and Milk Inspector; Providing Duties.

338—Regulating Inspection of Dairies and Sale of Milk; and its Products.

339—Regulating Inspection and Sale of Meat and Fish.

Public Health Ordinances.

ORDINANCE NO. 139.

TO REGULATE THE SALE OF MORPHINE AND COCAINE.

(Approved June 6th, 1891.)

The Mayor and Common Council of the City of Eureka do ordain as follows:

SECTION 1. Any person selling, giving away or prescribing any morphine or cocaine, or any of their salts, to any person except upon a prescription of a regular practicing physician, and any person repeating a prescription for any of said drugs, unless so ordered by the physician who wrote the same, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not less than twenty-five ($25) dollars, nor more than one hundred ($100) dollars, and by imprisonment not to exceed twenty (20) days.

SEC. 2. This Ordinance shall take effect and be in force thirty days after its approval by the Mayor.

ORDINANCE NO. 210.

TO PROTECT THE CITY FROM SLAUGHTER HOUSES, OFFENSIVE OCCUPATIONS, OFFAL, GARBAGE, ETC.

(Approved May 4th, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. It shall be unlawful for any person to establish or maintain any slaughter house, keep herds of swine, cure or keep hides, skins or peltries, slaughter swine, sheep or cattle or any other kind of animals, or carry on any other kind of business or occupation offensive to the senses or prejudicial to the public health or comfort within the corporate limits of the City of Eureka.

SEC. 2. It shall be unlawful for any person to keep any hog or hogs or other animals within the City of Eureka in such condition, manner or location as to be offensive to the senses or prejudicial to the public health or comfort.

SEC. 3. It shall be unlawful for any person to put, keep, have or allow to be put or kept or remain upon any public place, street, alley, lot or premises within the City of Eureka, any butcher's offal, or any dead or putrid or stinking animal or flesh, or offensive animal or vegetable matter or garbage.

SEC. 4. Any person violating any provision of this Ordinance shall be guilty of a misdemeanor, and upon conviction shall be punished by fine not exceeding five hundred dollars, or imprisonment not exceeding ten days, or by both such fine or imprisonment.

SEC. 5. Ordinance No. 63 and an Ordinance of the Town of Eureka, entitled:

"Concerning Slaughter Houses, etc," approved December 16th, 1871, are hereby repealed.

ORDINANCE NO. 259.

REGULATING THE DISPOSITION OF GARBAGE AND PROVIDING FOR THE THE APPOINTMENT OF GARBAGE MASTER AND DEFINING HIS DUTIES AND PROVIDING A PENALTY FOR THE VIOLATION OF THIS ORDINANCE.

(Approved March 5th, 1901.)

Be it Ordained by the Council of the City of Eureka as follows:

SECTION 1. That in order to promote the health and comfort and cleanliness of the City of Eureka, the place or location described in Sec. 2 hereof is hereby authorized and designated as a garbage dump, for depositing and disposing of all garbage as defined in Sec. 5 hereof, and a Garbage Master is hereby authorized and provided for to carry out the purposes of this ordinance as hereinafter described.

SEC. 2. All garbage which is or which may accumulate upon or about any street, alley or premises in the City of Eureka, shall be taken to and delivered at the garbage dump, which is described and located as follows: To-wit: Beginning at the intersection of the South line of Murray street with the East line of Railroad Avenue, as designated on the official map, of the Third Enlargement of Clark's Addition to the City of Eureka. And running from thence east 100 feet; thence south 100 feet; thence West 166 feet; to the East line of the right of way of the Eel River & Eureka Railroad Company; thence North along said right of way 100 feet to the South line of said Murray street and thence east 66 feet to the place of beginning.

SEC. 3. A Garbage Master shall be appointed by the Mayor of the City of Eureka and his appointment shall be confirmed by the Council and he shall hold his office during the pleasure of the Council and he shall be allowed and receive such compensation for his services, from time to time, as may be designated and fixed by resolution of the Council.

SEC. 4. The placing or delivery of any garbage at any other place within the limits of the City of Eureka, than the garbage dump designated in Sec. 2 hereof, or the delivery of any garbage at the garbage dump upon Sunday, or the delivery of garbage at said dump at any time other than between the hours of 8 a. m. and 5 p. m. on days not prohibited, is in each of said particulars prohibited. Any person or persons violating any provisions of this section shall be deemed guilty of a misdemeanor and shall be punished as provided for in this ordinance.

SEC. 5. The term garbage as used in this ordinance shall be construted to mean and cover all and every kind of waste or refuse matter whether vegetable or animal. All worn out or rejected matter that usually accumulates in and about the City, or any thing or substance which is useless, or deleterious to health, or unsightly to a cleanly appearance. But it shall not be held to apply to manure or other fertilizing material placed upon the lawns or gardens for immediate use for fertilizing purposes.

SEC. 6. It shall be the duty of the Garbage Master to be at the garbage dump at all hours when garbage may be delivered as herein provided and to direct the manner in which garbage shall be dumped in order that it may be most con-

veniently disposed of. All garbage that can be burned shall be entirely disposed of by burning. Garbage that cannot be consumed by fire shall be buried by the garbage master at least two feet beneath the surface of the ground.

SEC. 7. It shall be the duty of every person or persons, who delivers garbage at the dump to unload the same at the place and in the manner directed by the Garbage Master, and any person or persons failing or refusing to unload garbage at the place or in the manner directed by the Garbage Master shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as provided in this ordinance.

SEC. 8. Any person or persons who shall do any act prohibitive or declared to be unlawful in this ordinance or who shall refuse to comply with the orders of the Garbage Master in placing or unloading garbage, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine or not less than $5.00 nor more than $25.00 or by imprisonment for not less than 5 days nor more than 25 days or by both such fine and imprisonment.

ORDINANCE NO. 284.

AN ORDINANCE RELATING TO THE HEALTH OF THE CITY OF EUREKA AND REQUIRING PHYSICIANS AND MID-WIVES TO MAKE STATISTICAL REPORTS TO THE HEALTH OFFICERS OF THE CITY OF EUREKA OF BIRTHS, DEATHS, AND DISEASES, AND REPEALING ORDINANCE NO. 229, AND PROVIDING A PENALTY.

(Approved January 27th, 1902.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. The Council of the City of Eureka is hereby empowered, upon the recommendation of the Board of Health, to establish and maintain one or more pest houses, and to provide the necessary supplies therefor.

SEC. 2. It shall be the duty of every physician in the City of Eureka, to report to the Health Officer, in writing, as soon as he has knowledge thereof, every patient he shall have sick of Plaugue, Typus, or Yellow Fever, Asiatic Cholera, Leprosy, Small-pox, Diphtheria, Scarlet Fever, or any other contagious or infectious disease, and every death from any of said diseases immediately after such death has occurred. It shall be the duty of every householder in the City of Eureka to report in writing to the Health Officer the name of every inmate of his or her house, whom he or she shall have reason to believe is sick of any disease in this section mentioned, and any death occurring at his or her house therefrom.

Any person violating or failing to comply with any provision of this section, shall be guilty of a misdemeanor.

SEC. 3. Any person refusing or neglecting to vacate any building after having been ordered so to do, as provided by Section 155 of the City Charter of said City, shall be guilty of a misdemeanor.

SEC. 4. Whenever a case of typhus, ship, or yellow fever, Asiatic cholera, plague, leporsy, small-pox, diptheria, or scarlet fever or any other contagious or infectious disease, which in the opinion of the Health Officer or Board of Health is menace to the health of the community shall exist in any house or tenement, and it shall be deemed inexpedient to remove the person or persons so affected to the

proper hospital, it shall be the duty of the Health Officer to require all such persons or person to be kept closely confined in their respective dwellings or place of abode, and shall immediately cause to be erected in a conspicious place in front of such dwelling or place of abode, a yellow flag. It shall be unlawful for any person to remove said flag unless ordered so to do by the Health Officer, No person, except the Physician, Clergyman or Undertaker and those having a written permit from the Board of Health, or Health Officer, shall enter or depart from any house where any disease mentioned in this section exists, or while the corpse of any person who shall have died of any of said diseases remains within the house or while the yellow flag is erected there. Any person violating any provision of this section shall be guilty of a misdemeanor.

SEC. 5. It is hereby made the duty of all Physicians and Mid-wives practicing in the City of Eureka, to make a report to the Health Officer in writing, on or before the 5th day of each month, of all births occurring in his or her practice for the previous month in the City ofEureka. If no births have occurred, during such month, that fact shall be reported. Any person failing or refusing to make the report herein required, shall be guilty of a misdemeanor.

SEC. 6. It shall be the duty of all physicians to report to the Health Officer in writing on or before the 5th day of each month, the following facts:

First—All deaths occurring in the City of Eureka in his or her practice during the preceding month.

Second—Every kind of contagious or infectious disease that has occurred in his or her practice during the preceding month.

Third—If no births, deaths, contagious or infectious diseases have occured, in the City of Eureka in the practice of any physician, said fact shall be reported to the Health Officer.

Any person violating any provision of this section or failing to make the report herein required, shall be guilty of a misdemeanor.

SEC. 7. It is hereby made the duty of the Health Officer of the City, and he is hereby empowered to formulate convenient and suitable blanks, to be furnished on application, free of cost, to all physicians and mid-wives practicing in the City of Eureka, upon which to report all the foregoing facts, in order that mortality and morbidity statistics of the City of Eureka may be accurately preserved.

SEC. 8. Whenever a nuisance, dangerous in the opinion of the Health officer, to the public health shall be ascertained to exist on any premises, or in any house or other place in said city, he shall notify in writing any person or persons owning or having control of, or acting as agent for such premises, house, or other place, to abate or remove such nuisance within a reasonable time, to be stated in such notice. If any owner, occupant, agent or other person having control of such house, premises or place, neglect or refuse to comply with such notice, he or she shall be guilty of a misdemeanor. The Health Officer with the approval of the Board of Health, may abate such nuisance and the cost thereof may be recovered from such owner, occupant, agent, or person having control of such house, premises, or place, in a civil action in the name of the City of Eureka.

Sec. 9. It shall be the duty of any member of said Board of Health, or the Health Officer, or any public officer, when necessary to secure the public health, to enter upon the premises, or in the house or other place, of any person withing the said city, to ascertain any nuisance that may there exist; to inspect drains, vaults, cellars, cesspools, water closets, privies, or sewers, or yards of such premises; to examine into their condition, and when satisfied that apartments used for lodging, or other purposes, are improperly constructed, or liable from over-crowding or

filth to become dangerous to the public haith, or disseminate contagious or infectious diseases, or are not properly provided with privies, water closets, or with sewers, drains or cesspools properly trapped, they, or any of them shall serve a written notice upon the owner or other person in charge of such premises to remove the nuisance therein named, and if such owner or other person in charge neglect to obey such notice, said Board or Officer may put the same in proper order at the expense of the owner or other person in charge thereof.

SEC. 10. Any person convicted of violating any provision of this ordinance, shall be punished by a fine not exceeding one hundred and fifty dollars, or by imprisonment not exceeding seventy-five days or by both such fine and imprisonment.

SEC. 11. All ordinances or parts of ordinances in conflict herewith, are hereby repealed.

SEC. 12. This ordinance when approved by the Mayor shall be published as required by law and shall then be in full force and effect.

ORDINANCE NO. 304.

AN ORDINANCE RELATING TO THE DISCHARGE OF OFFENSIVE MATTER ON SIDEWALKS AND CROSSINGS.

(Approved January 6th, 1902.)

Be it ordained by the Council of the City of Eureka:

SECTION 1. Any person who shall discharge, eject or emit any spittle or other salival matter upon any sidewalk or crossing of any street or alley, of the City of Eureka, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in a sum not exceeding ten dollars, and shall be imprisoned until such fine shall be paid at the rate of one day's imprisonment for each dollar of said fine.

SEC. 2. This ordinance shall take effect from and after the first publication thereof.

ORDINANCE NO. 332.

AN ORDINANCE CREATING THE OFFICE OF INSPECTOR OF MEAT AND MILK FOR THE CITY OF EUREKA, DEFINING THE DUTIES AND FIXING THE SALARY OF THE INCUMBENT THEREOF.

(Approved March 4th, 1904.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. The office of Inspector of Meat and Milk is hereby created and the compensation of the appointee to said office is hereby fixed at the sum of six hundred dollars per annum to be paid in twelve equal monthly installments.

(Amendment: Approved October 7th, 1904; Ordinance No. 370.)

SEC. 2. The duties of said inspector of meat and milk are hereby declared to be as follows: He shall vigilantly inspect the meat, poultry, game, and fish markets

of the City of Eureka, and shall examine all articles therein exposed for sale. If any of said articles so exposed are in any way unfit for human consumption, he shall seize and forthwith remove the same at the expense of the owner in such manner, under the direction of the Board of Health, as will be for the public interest and safety. He shall have general supervision of all dairies within the city limits, and shall inspect and examine all milk brought into the city or exposed or offered for sale therein. And if said milk is in anyway unfit for human consumption or adulterated with water or any other fluid or substance, he shall seize the same and cause it to be destroyed in such manner and in such ways as to him may seem best for the public interest and safety.

SEC. 3. The Inspector of Meat and Milk shall be a qualified elector of the City of Eureka, and shall be appointed by the Mayor, by and with the consent of the Council and shall hold office during the pleasure of the appointing power.

SEC. 4. In case any articles as provided for in this ordinance shall be condemned and destroyed by the Inspector of Meat and Milk, such destruction shall be at the cost and expense of any person, firm or corporation offering the same for sale.

SEC. 5. Any person, firm or corporation violating any of the provisions of this ordinance, or who shall resist, obstruct or evade the Inspector of Meat and Milk in the legal exercise of his duty, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more that on hundred days or by both such fine and imprisonment.

SEC. 6. This ordinance shall take effect and be in full force from and after its approval by the Mayor.

ORDINANCE NO. 338.

AN ORDINANCE REGULATING THE INSPECTION OF DAIRIES AND THE SALE OF MILK AND ITS PRODUCTS.

(Approved March 16th, 1904.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. It shall be unlawful for any person or persons to sell, offer for sale, or have for sale within the limits of the City of Eureka any unwholesome, impure, watered or adulterated milk or cream or any milk or cream that has been mixed with any chemical or other substance whatever. Milk or cream shall be deemed to be adulterated within the meaning of this ordinance which has been mixed with any chemical or other material substance.

SEC. 2. It shall be unlawful for any person or persons to bring or send into the City of Eureka for sale, or offer for sale therein, any milk or cream without a written pehmit from the Inspector of Meat and Milk so to do, and the said Inspector of Meat and Milk shall grant permits to all applicants therefor only on condition that no milk or cream shall be sold contrary to the provisions of this ordinance, and any permit so granted shall be revoked by the Inspector of Meat and Milk if it appear to him that the party holding the same has violated any of the provisions of this ordinance relating to the sale of milk and cream; and permits, subject to revocation, shall be good until the first day of March next after the same is granted. Before granting such permit the applicant shall file with the Inspector

of Meat and Milk a written statement setting forth his residence, the number of cows owned by him, if any, name and address of any and all persons from whom he is purchasing or obtaining milk or cream and amount, and shall also set forth the number of gallons of milk or cream sold by him daily, as nearly as he can estimate the same. In case of any change in the name or address of the person from whom he obtains his supply of milk or cream he shall give notice thereof to the Inspector of Meat and Milk.

SEC. 3. All dairies, including the cows, cow stables, milk houses, milk vessels, the owner or owners of which offer milk or cream for sale within the limits of the City of Eureka, shall be subject to inspection by the Inspector of Meat and Milk or some one deputed by him. The Inspector of Meat or Milk or anyone deputed by him may enter and inspect any place where milk or cream is kept or sold, or any vehicle used to convey milk or cream within the limits of the City of Eureka, and any person refusing to allow such entry and inspection shall forfeit his or her permit, or if the refusal be on the part of the person supplying milk sold under a permit, the holder thereof shall discontinue the sale of the same under penalty of like forfeiture; and whenever the Inspector of Meat and Milk has reason to believe the milk or cream therein is impure or adulterated, he shall take samples thereof and subject them to satisfactory tests, the result of which shall be recorded and preserved in a book to be kept for that purpose.

SEC. 4. All grocers, bakers and every person having or offering for sale or using for commercial purposes milk or cream shall at all times keep the name of the dairyman or persons from whom the milk or cream on sale is obtained, and the number of their permit posted in a conspicious place where such milk or cream is used, sold or kept for sale, and the Inspector of Meat and Milk shall furnish a sufficient number of cards for such purpose to each person receiving a permit.

SEC. 5. It shall be unlawful for any dairyman to feed to his milch cows or have in his possession with intent to feed to such cows any garbage, swill, refuse or other improper food, or to sell or offer to sell to any dealer or other resident of the City of Eureka milk or cream from cows so fed; nor shall such dealer knowingly receive or sell any milk or cream produced from such dairy; nor shall the milk of cows which may be kept in any place where the water, ventilation, food and surroundings are not wholesome and sufficient for the preservation of their health, safe condition and wholesomeness of their milk or cream, be sold or offered for sale within the limits of the City of Eureka.

SEC. 6. All milk not contained in cans plainly marked with letters at least one inch in length, "SKIM MILK," which upon analysis shall be shown to contain more than eighty-eight per cent of water, or to contain less than twelve per cent of milk solids, or of which the specific gravity is less than 1,030 at 60 degrees fahrenheit, shall be deemed not of standard quality. All skim milk contained in marked cans and sold as skim milk, which upon analysis shall be shown to contain more than 92.5 per cent of water, or to contain less than 7.5 per cent of milk solids, shall be deemed not of standard quality.

SEC. 7. It shall be unlawful for any person to sell or offer for sale or to distribute in the City of Eureka, any milk or skim milk not of standard quality.

SEC. 8. It shall be the duty of the Inspector of Meat and Milk to inspect all milk or cream sold or offered for sale or distributed in the City of Eureka; and said officer is hereby authorized to destroy all adulterated, unwholesome or watered milk or cream, or milk or skim milk not of standard quality, discovered by him in said City of Eureka.

SEC. 9. It shall be the duty of every person in said city who has in his cus-

tody or control, any milk, cream or skim milk kept or offered or intended for sale, to permit the same to be inspected, or to be seized and destroyed by the Inspector of Meat and Milk, if the same is unwholesome, adulterated, watered or not of standard quality.

SEC. 10. All persons selling or offering for sale or distributing milk in said city shall have plainly marked on the wagon from which such milk is sold or distributed, the name of the person or firm conducting or representing the dairy from which the same is sold.

SEC. 11. Any person who shall violate any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding two hundred dollars or by imprisonment not exceeding one hundred days or by both such fine and imprisonment.

SEC. 12. This ordinance shall be in force and full effect from and after its approval by the Mayor.

ORDINANCE NO. 339.

AN ORDINANCE REGULATING THE INSPECTION AND SALE OF MEAT AND FISH

(Approved March 16th, 1904.)

Be it Ordained by the Council of the City of Eureka as follows:

SECTION 1. It shall be the duty of the Inspector of Meat and Milk, and he is hereby empowered to enter any place where meat, fish, game, poultry, or the products thereof, may be stored, held, kept, exposed or offered for sale, and every establishment where meat is manufactured into articles of food or preserved, cured, canned or otherwise prepared for food, also all slaughter houses, packing houses, corrals or yards, and shall inspect the same and the stock therein contained, and whenever such meat, game, fish, poultry, or the products thereof shall, upon inspection and examination, be found to be tainted, unwholesome or corrupted from any cause, or infected with any form of disease, said Inspector of Meat and Milk shall condemn the same as unfit for human food, and shall mark, mutilate or make the fact of such condemnation apparent, and shall immediately order the same to be destroyed. The expense of removal and destruction shall be paid by the person in whose possession such meat, game, fish, poultry, or the products thereof, is found.

SEC. 2. Said Inspector of Meat and Milk shall also inspect all cattle, sheep, hogs, or other live stock or poultry held, offered, kept or exposed for sale, and whenever the same shall be found to be maimed, emaciated, ill nourished, or infected with any disease, or any that may be too young, said Inspector of Meat and Milk shall condemn the same as unfit for human food, and it shall be unlawful for the owner, agent or holder of said animal, fish or poultry, to offer or expose the same for sale.

SEC. 3. It shall be unlawful for any person, persons, firm or corporation to hold, offer, keep or expose for sale any meat, game, fish, poultry, or any article of food manufactured therefrom, which may be immature, innutritious, emaciated, tainted, decaying, decayed, putrid, unwholesame or infected with any disease or corrupted from any cause whatever, or the meats from any cattle, hogs, sheep, calves, goats or fowls that were unsound, sick, diseased, immature or not in good condition at the time they were slaughtered.

SEC. 4. It shall be unlawful for any person, firm or corporation to sell, hold, keep, offer or expose for sale the meat or flesh of any calf which was less than four weeks old at the time it was slaughtered.

SEC. 5. It shall be unlawful for any person, firm or corporation to remove, mutilate or destroy from any calf of the pelt, hide or skin of any calf which may be offered, held or exposed for sale, the umbilical or navel cord, and the removal of which shall be deemed to be prima facie evidence of the immaturity of said calf.

SEC. 6. Any article or animal that shall be offered or exhibited for sale in any market or elsewhere in the City of Eureka as though it was intended for sale will be deemed offered and exposed for sale within the intent and meaning of this ordinance.

SEC. 7. Every owner or occupant of a market, market place or stall therein within the City of Eureka shall use due care and attention to maintain cleanliness thereat by the prompt removal of all rubbish or other matter tending to create stench or generate disease.

SEC. 8. It shall be unlawful for any person, firm or corporation keeping or having in possession any corral, slaughter house or stockyard or other place where cattle, hogs, sheep, goats or poultry are kept or maintained, or any room, house, building, place or premises where meat, fish, game or poultry may be or is kept, stored, maintained, exposed or offered for sale, or where meat, game, fish or poultry may be preserved, cured, canned or otherwise prepared for food, to prevent, resist, oppose, or attempt to prevent, resist or oppose the entrance of the Inspector of Meat and Milk, or other Health or Police Officer into, or the inspection by any such officer of any corral, slaughter house, stock-yard, room house, building, place or premises, or the articles or stock therein contained.

SEC. 9. Any person, firm, or corporation who shall violate any of the provisions of this ordinance, and any person, firm or corporation who shall fail to comply with the requirements of this ordinance, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding two hundred dollars or by imprisonment not exceeding one hundred days or by both such fine and imprisonment.

SEC. 10. This ordinance shall be in full force and effect from and after its approval by the Mayor.

GROUP VI.

License Ordinances.

Ordinances
Relative to
Licenses.

(Ordinances Relative to Licensing Sale of Intoxicating Liquors)

Title Nos. Reference To Titles

174—Regulating Sale of Intoxicating Liquors and Licensing the Same.

369—Defining the Limits Within Which Intoxicating Liquors May be Sold.

(Licensing Business and Sports)

275—Licensing Various Business and Trades.

337—Licensing Athletic Clubs to Conduct Athletic Sports.

License Ordinances.

ORDINANCE NO. 174.

(Approved August 21st, 1894.)

The Common Council of the City of Eureka do ordain as follows:

SECTION 1. Every person who as owner, agent, servant, employe, partner or otherwise, sells, retails, gives away or in any manner furnishes or disposes of any intoxicating drinks, or spiritous, or malt, or mixed, or fermented liquors, wine or beer, within the corporate limits of the City of Eureka, without at first having procured a license so to do, as provided in this Ordinance, or who shall fail to keep such a license posted in a conspicuous place in the place of business for which such license is issued, is guilty of a misdemeanor.

SEC. 2. No license shall be issued to sell, retail, give away, or in any manner furnish or dispose of any intoxicating drinks, or spiritous, or malt, or mixed, or fermented liquors, beer or wine, under this Ordinance, until the applicant therefor shall have filed with the City Clerk a written petition for the issuance of the same, clearly designating the place where the business for which the license is asked is located, or to be located, and which must declare that the applicant is a person of good moral character and a sober and suitable person tto conduct such a place and business, and must be signed by a majority of the persons, owning real property and a majority of the persons doing business upon the ground floor upon the same side of the block where the said place is located, or to be located, and also a majority of the persons owning real property and a majority of the persons doing business on the ground floor on the side of the block directly across the street from the side of the block where said place is located, or to be located; provided, that no person is qualified to sign such petition who is at the time engaged in a similar business, and who is not a freeholder within the corporate limits of the City of Eureka. The applicant must at the time of the filing of said petition also file with the City Clerk a bond payable to the City of Eureka, in the penal sum of one thousand dollars, with two or more good and sufficient sureties thereto, to be approved by a majority vote of the Common Council, conditioned that the applicant shall conduct the business for which said license is granted in a quiet, orderly and lawful manner, and shall not permit any breach of the peace or the violation of any State law on the premises, or the disturbance of public order by noisy, riotous or disorderly conduct on the premises, nor shall sell, give or furnish, or permit to be furnished, any intoxicating liquors, wine or beer to any habitual drunkard, or to any person under eighteen years of age. Said recommendation and bond shall be required for each person once annually; provided, that should the said bond at any time become insufficient, the Common Council shall require a new bond to be given, to be the same and approved in the same manner as the first bond. If such new bond is not given within ten days after notice that it is required, said license may be revoked.

SEC. 3. No license shall be issued under this Ordinance until the first regular meeting of the Common Council after the filing of said petition and bond, nor until said applicant has filed with the City Clerk an affidavit showing that a notice stating

the name of the applicant, designating the location of the proposed place of business and the date of filing the petition has been published in a daily newspaper in the City of Eureka, for ten consecutive days after the filing of said petition. Upon the first regular meeting of the Common Council, after the filing of said petition and bond, or at any regular meeting thereafter, and after the filing of said affidavit of publication, said Common Council, if satisfied that this Ordinance has been fully complied with, may upon motion order the City Clerk to issue a license to such applicant in substantially the following form:

'This is to certify that A. B., having paid to the City Clerk of the City of Eu-"reka the sum of ..... dollars in advance, is authorized to conduct and carry "on the (here describe business and place where carried on or located) in the City "of Eureka between the hours of five o'clock, a. m. and eleven o'clock, p. m., of each "and every day for the term of .....from .....189....

"Dated this .....day of .... 189.....

"Attest:

"..... ....'

"City Clerk.

"..... ....'

"Mayor of said City."

If the Common Council is not satisfied that said petition, bond and affidavit are sufficient and in compliance with the requirements of this Ordinance, and that the applicant is entitled to a license, said license must be refused and said petition dismissed.

SEC. 4. No license shall be issued for any shorter or longer period than three calendar months, and shall be issued on the first day of January, April, July and October of each year, and shall be paid for invariably in advance; provided, that licenses may be issued for fractional quarters when necessary to make the regular issuance of the same come at the time above specified. Every person receiving a license hereunder shall post the same in a conspicuous place in his place of business, and shall exhibit the same when requested to do so by any municipal officer of said city. No license issued under this Ordinance shall be assigned or transferred or apply to any place other than the one therein described. For good cause shown, the Common Council may revoke any order made directing the Clerk to issue a license, and thereupon no further license shall issue.

SEC. 5. Every person convicted of the violation of this Ordinance to whom a license has been granted hereunder, shall thereby forfeit such license issued to him, which said license, upon proof of conviction, shall be revoked by the Common Council, and thereafter no license shall issue to such person under this Ordinance; provided, that the above enumerated cause shall not exclude other causes for revoking any license granted hereunder.

SEC. 6. The rate of license herein provided for shall be: For each saloon, bar, barroon, tippling house, dram shop, sample room, or other place where intoxicating drinks or spiritous liquors or malt, or mixed, or fermented liquors, wine or beer are sold, retailed, given away or in any manner furnished or disposed of the sum of one hundred dollars per quarter. (Amendment approved March 9th, 1904.) (To take effect ten days after date of approval.)

SEC. 7. The provisions of this Ordinance shall not apply to the sale of liquors for medicinal purposes by a regularly licensed druggist upon the prescription of a physician or surgeon entitled to practice medicine under the laws of the State of California. (Amendment, Ordinance 183, approved December 6th, 1894.)

SEC. 8. Every person who keeps open any saloon, bar, barroom, or place where intoxicating drinks, or spirituous, or malt, or mixed, or fermented liquors, wine or beer are sold, retailed or given away, or in any manner disposed of, or who sells or gives away, or permits to be sold or given away, or permits to be drank at such saloon, bar, barroom, or place, any intoxicating drinks, or spirituous, or malt, or mixed, or fermented liquors, wine or beer between the hours of twelve o'clock, p. m., of one day and six o'clock a. m., of the succeeding day, is guilty of a misdemeanor. (Amendment: Ordinance 324, approved December 8th, 1903—To take effect ten days after approval.)

SEC. 9. Every person who shall violate any of the provisions of this Ordinance shall be punished by a fine of not less than twenty-five dollars, nor more than five hundred dollars, or by imprisonment in the county jail of Humboldt county not exceeding ten days ,or by both such fine and imprisonment.

SEC. 10. Ordinance No. 147 and all Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SEC. 11. This Ordinance shall take effect ten days after its approval by the Mayor.

ORDINANCE NO. 369.

AN ORDINANCE TO PROHIBIT THE SALE OF INTOXICATING LIQUOR WITHIN THE LIMTIS OF THE CITY OF EUREKA, EXCEPT IN THAT PORTION KNOWN AS THE FIRST WARD, AND BOUNDED AS FOLLOWS, TO-WIT:

Commencing at a point where the center of "A" street if extended northerly would intersect the city limits; running thence southerly along the center of said "A" street, if extended, to the center of Fourth street; thence easterly along the center of Fourth street to the center of "F" street; thence southerly along the center of said "F" street to the center of Seventh street; thence easterly along the center of said Seventh street to the center of "J" street; thence northerly along the center of said "J" street to the city limits in Humboldt Bay; thence westerly along said city limits to the place of beginning.

(Approved Sept. 8, 1904.)

Be it Ordained by the Council of the City of Eureka, as follows:

SECTION 1. It shall not be lawful for any person or persons to keep or expose for sale, or sell, or give, or permit others to take for a consideration, directly or indirectly, any malt, or spirituous, or other alcoholic liquors, wine or beer, within the limits of the City of Eureka, except that portion known as the First Ward and bounded as follows, to-wit:

Commencing at a point where the center of "A" street if extended northerly, would intersect the city limits; running thence southerly along the center of said "A" street, if extended, to the center of Fourth street; thence easterly along the center of Fourth street to the center of "F" street; thence southerly along the center of said "F" street to the center of Seventh street; thence easterly along the center of said Seventh street to the center of "J" street; thence northerly along the

center of said "J" street to the city limits in Humboldt Bay; thence westerly along said city limits to the place of beginning. And as provided in Section 2 of this Ordinance.

SEC. 2. It is hereby provided that the licenses now in force outside of the boundaries of the First Ward as provided in Section 1 of this Ordinance may be reissued to the same persons now holding such licenses or their assigns, to continue the said businesses at their present locations.

ORDINANCE NO. 275.

AN ORDINANCE PROVIDING FOR LICENSING CERTAIN CLASSES OF BUSINESS WITHIN THE CITY OF EUREKA, AND ESTABLISHING AND REGULATING THE ISSUING AND GRANTING OF MUNICIPAL LICENSES FOR SAID CLASSES OF BUSINESS, AND PROVIDING FOR THE COLLECTION OF SAID LICENSE TAXES.

(Approved October 7th, 1901.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. The City Clerk shall prepare and have printed blank licenses and shall procure vehicle numbers to be issued by the Tax Collector under the ordinance of the city. Such blank licenses shall be signed by the Mayor and City Clerk, and shall be delivered from time to time by the City Clerk to the Tax Collector in such quantities as may be required, taking his receipt therefor, and charging him with the number and amount of each class thereof, in an account to be by said Clerk kept for that purpose. The said Tax Collector's receipt shall specify the number, character and amounts of licenses delivered.

SEC. 2. The Tax Collector shall, on the first day of each month, file with the City Clerk his itemized report, showing all moneys received by him for licenses and paid to the City Treasurer during the last preceeding month, with the Treasurer's duplicate receipt for such moneys annexed thereto, and shall at the same time surrender all unissued licenses to the City Clerk.

SEC. 3. The City Clerk shall thereupon credit the Tax Collector in the said license account with the amount paid the Treasurer, as shown by said report and annexed receipts and with all licenses returned by him, according to the number, character and amounts thereof. The City Clerk shall charge the Treasurer with the amount received from the Tax Collector, as shown by his receipt, and shall deliver to the Tax Collector such blank licenses as he may require, charging him therewith as hereinbefore provided. The Tax Collector's said report shall be presented by the Clerk to the Council at its first meeting after the filing thereof.

SEC. 4. The Tax Collector shall furnish the report mentioned in the preceding section (3), and shall keep a record of all licenses, and vehicle numbers sold. He shall also keep such other books as may, in his judgment, be necessary, or as may be required by the City Council.

SEC. 5. All licenses shall be paid for in advance in the legal currency of the United States and at the office of the Tax Collector and not otherwise. No license shall be issued by the Tax Collector on any other blank than that received from the Clerk.

No greater or less amounts of money shall be charged or received for licenses so issued than is provided in this ordinance, and no license shall be sold or issued for any period of time other than is provided in this ordinance.

No person required to be licensed shall receive from the Tax Collector, his clerk or assistants, any license or vehicle number for a longer or shorter period, or pay therefor any greater or less amount of money than is provided in this ordinance.

SEC. 6. Every person having a license under the provisions of this ordinance shall place and exhibit the same at all times, while in force, in some conspicious part of his or her place of business, and shall produce or exhibit the same when applying for a renewal or when requested to do so by any police officer or officer of the license department.

SEC. 7. Every peddler while engaged in peddling shall carry his license and exhibit it when required by any license collector or police officer.

SEC. 8. No license granted or issued under any of the provisions of this ordinance shall be assignable or transferable without the permission of the Tax Collector indorsed thereon; said assignment or transfer must be recorded upon a registry kept for that purpose.

SEC. 9. All licenses and vehicle numbers whether monthly, quarterly, semi-annual or annual, required by the provisions of this ordinance shall date from the first day of the month in which the person, firm or corporation procuring the same commences the business, trade, profession or employment required to be licensed, or numbered, or from the time of the expiration of the license next preceeding, unless provided otherwise by this ordinance. The term "quarter" when used herein is hereby defined to mean one-quarter of a year.

SEC. 10. All money collected by the Tax Collector for licenses shall be paid by him at or before the close of every month, or at such time as the Council may direct to the City Treasurer and receipt taken therefor.

SEC. 11. A license must be procured from the Tax Collector immediately before the commencement of any business, trade or profession or employment required by this ordinance to be licensed, and a separate license must be obtained for each branch, establishment or separate place of business, which license authorizes the party obtaining it to carry on, pursue or conduct only that business, trade, profession or employment described in such license, and only at the location or place of business which is indicated thereby.

SEC. 12. All license officers, in the discharge and performance of their official duties, and all regular police officers shall have and exercise the power.

First—To make arrests for the violation of any of the provisions of this ordinance.

Second—To enter free of charge, at any time, any place of business for which a license is required and provided, and to demand the exhibition of such license for the current term from any person, firm or corporation engaged or employed in the transaction of such business; and if such person, firm or corporation shall then and there fail to exhibit such license, such person, firm or corporation shall be liable to the same penalty as provided for in section 20 of this ordinance.

SEC. 13. In all cases where the amount of license to be paid by any person, firm or corporation is based upon the amount of receipts of sales affected or business transacted, such person, firm or corporation shall render a sworn statement in writing to the Tax Collector, made before some officer authorized to administer oaths, of the total amount of receipts, sales made or business done by said person, firm or corporation respectively during the three months preceding the expiration

of the last license, which statement shall determine the amount for which such license shall be issued or renewed.

SEC. 14. Whenever the Tax Collector is satisfied that the receipts for any exhibition, concert, lecture or other entertainment is to be or will be appropriated to any church, school or religious or benevolent purpose, within the City of Eureka, he may grant, by permission of the Mayor and not otherwise, as of course, a free license for the same to the person or persons about to conduct the same.

SEC. 15. The conviction and punishment of any person for transacting a business without a license shall not excuse or exempt such person from the payment of any license due or unpaid at the time of such conviction, any license fee remaining unpaid after becoming due shall be and constitute a debt against the person from which it is payable in favor of the city. And any license fee becoming delinquent for the period of ten days shall have added thereto fifty per cent thereof which shall be a debt against said person, and in favor of said city, and be collected in the same manner as a license fee.

SEC. 16. All police officers are hereby appointed Assistant Inspectors of Licenses, and in addition to their several duties as Police Officers are hereby required to examine all places of business and persons on their respective beats liable to pay license, and to see that such licenses are taken out and that no other business than the one described in the license is carried on or transacted. Said Assistant Inspectors of Licenses shall make out a list, once in every month, of persons, firms or corporations having no license, with their places of business and deliver such list carefully and legibly written, to the proper License Officer and also report to said License Officer the names of all such doing business without a license immediately upon the fact coming to their knowledge. Any police officer failing or neglecting for more than thirty days to report any person, firm or corporation who or which is engaged in transacting business without having paid the required license shall be guilty of neglect of duty and shall be either suspended from duty or dismissed from the police force. The Chief of Police is hereby directed to carry into effect the provisions of this section. The License Officer is herby directed when names of persons who have failed to pay a license is called to his attention to notify the City Attorney, whose duty it shall be immediately thereafter to file against such persons complaints both civil and criminal and prosecute the same.

SEC. 17. The term peddler shall include every person who carries from place to place in either a pack, vehicle, basket or other conveyance or contrivance, and offers to, or does sell, barter or exchange any merchandise for which peddlers are herein taxed, provided that persons furnishing to retail dealers, having an established place of business in the City of Eureka, to become a part of retail dealer's stock in trade in such a place of business, and a producer who directly furnishes and delivers any fish, meat, poultry, fruit, vegetables, being the produce of his garden, dairy or farm to any person in the City of Eureka shall not be deemed a peddler within the meaning of this ordinance.

SEC. 18. The Tax Collector shall assign a separate number to each and every vehicle to which is issued a license and shall furnish a tin or plate in duplicate with each number thereon. Such numbers shall be permanent without regard to the ownership of such vehicles and shall be affixed to such vehicles by the party obtaining the license in the manner and place designated by the Tax Collector, and no person shall use or drive, or permit to be used or driven any vehicle belonging to him or under his control for which a license is required by this ordinance without having such number affixed thereto.

SEC. 19. If any person shall furnish evidence satisfactory to the Tax Collector that such person, by reason of physical infirmity, unavoidable misfortune, or unavoidable poverty, or that he is an honorably discharged soldier of the United State, said Tax Collector by and with the consent of the Mayor may issue to such person a free license.

SEC. 20. It shall be unlawful for any person or persons, firm or corporation, to conduct or carry on, within the corporate limits of the City of Eureka, any vocation, trade, calling or employment in this ordinance specified, either in their own names and for their own private benefit,or as agents of any other person or persons or body corporate, or otherwise, without first procuring from said City a license to do so; and if such person or persons, firm or corporation either for themselves or as agents shall conduct or carry on any vocation, trade, calling, business or employment aforesaid without having procured such license, or shall violate any provision of this ordinance he, she or they, for each violation of any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction by any court having jurisdiction thereof, shall be fined therefor in a sum not less than ten dollars, nor more than two hundred dollars, or shall be imprisoned for a term not exceeding the time permitted by law or both, and the amount of said license shall be deemed a debt due the City of Eureka, and all such persons, bodies corporate and their agents or either of them, shall for each and every violation of this ordinance be liable in action in the name of the City of Eureka in any court of competent jurisdiction for the amount of the license in such business as he or they may be engaged in with costs of suit.

SEC. 21. That the rates of license for pursuits, business, trades, occupations, vocations and employments hereinafter named be, and the same are hereby established for and within the City of Eureka, and the same shall be paid by the owners or proprietors as follows: That is to say;

SEC. 22. Every person, firm or corporation who at a fixed place of business in the City of Eureka, sells any goods, wares, merchandise, drugs, medicine, jewelry, wares of precious metals, meats, wagons, fish, bread, bicycles, cloth, cakes, candies, fruits, harness, saddlery, tobacco, cigars, furniture, paint, wall paper, wood, coal, lumber, soda water, mineral water, milk or other goods, ware and merchandise of every kind, character and description (other than malt and spirituous liquors otherwise provided for), whether on commission or otherwise, shall pay a license tax as follows:

"A" Those whose average monthly sales amount to $30,000 or more constitute the first class and must pay $32.00 per quarter year.

"B" Those whose monthly sales amount to $20,000 and less than $30,000 constitute the second class, and shall pay $24.00 per quarter year.

"C" Those whose average monthly sales amount to $10,000 and less than $20,000, constitute the third class, and must pay $16.00 per quarter.

"D" Those whose average monthly sales amount to $7,000 and less than $10,000, constitute the fourth class and must pay $10.00 per quarter.

"E" Those whose monthly sales amount to $4,000 and less than $7,000 constitute the fifth class and must pay $7.00 per quarter year.

"F" Those whose average monthly sales amount to $2,000 and less than $4,000, constitutes the sixth class and must pay $5.00 per quarter year.

"G" Those whose average monthly sales amount to $1,000 and less than $2,000, constitute the seventh class and must pay $3.00 per quarter.

"H" Those whose average monthly sales amounts to less than $1,000 and

more than $500, constitute the eighth class and shall pay the sum of $1.50 per quarter year.

"I" Those whose average monthly sales are less than $500, constitute the ninth class and shall pay the sum of $.75 per quarter year.

SEC. 23. Persons outside, those conducting regular places of business, selling different articles of apparel, dry goods, fancy goods, notions, jewelry, cutlery, groceries, harness, pianos, organs, sewing machines, machinery of all kinds, vehicles, hardware, tinware, mill products, or merchandise of any class or character, to persons who are consumers, and not regularly engaged in, or carrying on such lines of business within said city, whether by sample or otherwise shall pay a license tax of twenty-five dollars per quarter.

SEC. 24. (Section 24 is repealed by Ordinance Number 278; approved October 29th, 1901.)

SEC. 25. Every traveling merchant, hawker, peddler or vender, street fakir or advertiser who sells or advertises goods, wares, or merchandise of any kind, patent or other medicines of any kind, by music, singing, dancing, juggiery tricks, sleight of hand, buffonery, gymnastics, or by spectacular plays, shows or performances, or by speeches, declamation, or oratory, or by any performance on the street intended to draw a crowd about the person so selling or advertising as aforesaid, shall pay a license tax of five dollars per day.

SEC. 26. Every person bringing into the city a stock of goods, wares or merchandise of any kind to be disposed of at auction or at both auction and private sale, shall pay a license tax of one hundred dollars per month.

SEC. 27. Auctioneers shall pay a license of two dollars and a half per single day or fifty dollars per quarter.

SEC. 28. Auction wares, bankrupt ware, and all stores and places of business advertising to dispose of goods, ware or merchandise for less than original cost, shall pay a license tax of fifty dollars per month.

SEC. 29. From every person engaged in disposing of goods, wares or merchandise of any kind whatsoever, by means of casting or throwing rings, or turning an arrow or indicator on a pivot or by other means other than the ordinary mode of barter or sale, one dollar per day.

SEC. 30. Each book agent or solicitor for the sale of books, or maps to persons not dealers in them shall pay a license tax of one dollar per day.

SEC. 31.—Every person who has not a fixed place of business in said city, and who carries on the business of enlarging pictures or photographs, or retouching the same within said city, shall pay a license tax of two dollars per day.

SEC. 32. Every person vending, hawking, huckstering or peddling fish, fruit, vegetables or agricultural products within the City of Eureka, shall pay a license tax of one dollar and a half per quarter provided, however, that this shall not apply to occasional sales by persons not engaged in the sale of the same as a business, nor to persons who are engaged in selling said articles at a fixed place of business in said city.

SEC. 33. Every person vending, hawking, huckstering or peddling meat within the City of Eureka, shall pay a license tax of two dollars and a half per quarter: provided, however, that this shall not apply to occasional sales of meat by persons not engaged in the business, nor to persons selling the same at a fixed place of business.

SEC. 34. Every person carrying on or engaged in keeping any shooting gallery, skating rink or bowling alley shall pay a license tax of five dollars per quarter year for each gallery or rink.

SEC. 35. Every astrologer, seer, fortune teller, clairvoyant, spiritualist or spiritual medium, who demands a fee for his or her service shall pay a license tax of five dollars per month.

SEC. 36. Every person, firm or corporation conducting, pursing or carrying on the business of a laundry, livery stable, restaurant tamale house, abstract office, real estate agency or hotel shall pay a license tax as follows:

"A" Those whose average monthly gross income exceeds ten thousand dollars shall pay sixteen dollars per year.

"B" Those whose average gross income amounts to seven thousand dollars and less than ten thousand dollars shall pay ten dollars per year.

"C" Those whose average monthly gross income amounts to four thousand dollars and less than seven thousand dollars must pay seven dollars per quarter year.

'D" Those whose average monthly sales amounts to two thousand dollars and less than four thousand dollars must pay five dollars per quarter year.

"E" Those whose average monthly sales amounts to one thousand dollars and less than two thousand dollars must pay three dollars per quarter.

"F" Those whose average monthly sales amounts to five hundred dollars and less than one thousand dollars shall pay one dollar and a half per quarter.

"G" Those whose average monthly sales is less than five hundred dollars must pay seventy-five cents per quarter.

SEC. 37. From every person engaged in the business of common carriers, in expressing, transmitting or conveying gold dust, bullion, coin, furniture, or goods, wares or merchandise from or to any place outside of the City of Eureka, whose gross receipts are fifteen hundred dollars or more for a quarter year, ten dollars per quarter year.

SEC. 38. Each pawn broker shall pay ten dollars per quarter.

SEC. 39. Each keeper of an intelligence office, two dollars and a half per quarter.

SEC. 40. Each photograph gallery two dollars and a half per quarter.

SEC. 41. Persons engaged in banking, loaning money at interest, or in buying or selling notes, bonds, or other evidences of indebtedness, stock of any kind, gold dust, gold or silver bullion, or gold or silver coin are divided into four classes and must pay license as follows:

"A" Those doing business to the amount of one hundred thousand dollars or more per quarter, constitute the first class and must pay a license tax of forty dollars per quarter.

"B" Those doing business to the amount of fifty thousand dollars and less than one hundred thousand dollars per quarter, constitute the second class, and must pay a license tax of twenty-five dollars per quarter.

"C" Those doing business in any amount under fifty thousand dollars and over ten thousand dollars per quarter constitute the third class, and must pay a license tax of fifteen dollars per quarter.

"D" Those doing business in any amount under ten thousand dollars per quarter, constitute the fourth class and must pay a license tax of seven dollars and a half per quarter.

SEC. 42. Every person, firm or corporation, engaged in the business of a broker in the sale of shares of stock in corporation, cereals in the stock Board of San Francisco or elsewhere by telegraph or otherwise shall pay a license fee of twenty-five dollars per annum. (As Amended by Ordinance Number 278, approved Oct. 29th, 1901.)

SEC. 43. Every telephone Company doing general telephone business for profit

within said city must pay a license tax of twenty-five dollars per quarter.

SEC. 44. Every Water Company selling water for profit in said city whose gross income monthly exceeds one thousand dollars must pay a license tax of twenty-five dollars per quarter.

Every water Company selling water for profit in said city, whose gross income monthly is less than one thousand dollars shall pay a license tax of six dollars per quarter.

SEC. 45. Every electric light company furnishing electric lighting for profit within said city shall pay a license tax of twenty-five dollars per quarter.

SEC. 46. Every theatrical, minstrel or dramatic performance, concert, lectures and figures, and any showing of any statuary or figures, jugglers, necromancers, magicians, wire rope walking or dancing, so called spiritualitistic phenomena, or sleight of hand exhibitions, shall pay a license as follows:

License per quarter seventy-five dollars.

For those charging an admission fee of over twenty-five cents, five dollars per day for the first day, and three dollars per day for each subsequent day for each matinee; and for those charging an admission fee of less than twenty-five cents. $2.50 for the first day and $1.50 for every subsequent day; provided that where any theatrical or other show is given, where prizes are given by means of votes from the audience to any person or persons the license tax on each show of such character shall be ten dollars per day.

For a menagerie or circus, five dollars per day.

For each side show accompanying such circus or menagerie, one dollar per day.

For each merry go round, two dollars per day. (As amended by Ordinance number 297, approved June 3rd, 1902.)

SEC. 46½. Any theater company, that shall in good faith establish a permanent theater in the City of Eureka, and shall evidence such good faith by leasing a building for not less than one year, for the purpose of conducting a permanent theater in the City of Eureka, or by erecting a suitable building for said purpose in said city, shall pay a license tax of ten dollars per month in advance. (As enacted by Ordinance number 311, approved May 20th, 1903.)

SEC. 47. For every person who keeps a stallion, jack, bull or ram for the purpose of propagation or who permits the same to be used for the purpose of propagation for hire or profit, as follows:

For each stallion ten dollars per year.

For each jack, seven dollars and half per year.

For each bull seven dollars per year.

For each ram five dollars per year.

SEC. 48. For every cart, dray wagon or vehicle, used for the delivery of freight or goods or the hauling of material in the City of Eureka, for hire; and for every hackney-coach or other vehicle used for transportation of passengers, for hire, in the said City of Eureka, the owner shall pay a license of $1.50 per quarter: and licensed vehicles, of the kind above described, shall be allowed to stand upon the street corners while seeking employment; provided that the owners of the property immediately adjacent to said street corners, and the persons occupying said premises in front of which said vehicle stands, shall first consent in writing, that said vehicle shall stand in said place, and this privilege shall extend to only one wagon in a given place. (As amended by Ordinance number 281, approved December 11th, 1901.)

SEC. 49. Every person, firm or corporation conducting a rooming house where

rooms are rented by the day, week, month or year, not included under the names of hotels, shall pay a license tax as follows:

1. Those persons having more than ten rooms and less than fifteen rooms for rent, shall pay a license tax of $2.25 per quarter.

2. Those persons having more than fifteen rooms and less than twenty-five rooms, shall pay a license tax of $3.50 per quarter.

3. Those persons having more than twenty-five rooms shall pay a license tax of $6.00 per quarter. (As amended by Ordinance number 281, approved December 11th, 1901.)

SEC. 50. (Section 50 is repealed by Ordinance number 341.)

SEC. 51. Every fire insurance company, foreign or domestic, conducting by agent or otherwise, an insurance business within the limits of said city, shall pay a license tax based upon its gross annual receipts, as follows:

"A." Those whose annual receipts are less than $6000 and more than $5000, Forty Dollars per annum.

"B." Those whose annual receipts are less than $5000 and more than $4000, Thirty-five Dollars per annum.

"C." Those whose annual receipts are less than $4000 and more than $3000, Thirty Dollars per annum.

"D." Those whose annual receipts are less than $3000 and more than $2000, Twenty-five Dollars per annum.

"E." Those whose annual receipts are less than $2000 and more than $1500, Twenty Dollars per annum.

"F." Those whose annual receipts are less than Fifteen Hundred Dollars and more than One Thousand Dollars, Fifteen Dollars.

"G." Those whose annual receipts are less than One Thousand Dollars and more than Seven Hundred and Fifty Dollars, Twelve Dollars per annum.

"H." Those whose annual receipts are less than Seven Hundred and Fifty Dollars and more than Five Hundred Dollars, Ten Dollars per annum.

"I." Those whose annual receipts are less than Five Hundred Dollars, Six Dollars per annum.

Every life and accident insurance company doing business in said City, shall pay a license tax of Twenty Dollars per year.

(As Amended by Ordinance Number 281, approved December 11th, 1901)

SEC. 52. Every Gas Company furnishing gas for profit within said City shall pay a license tax of ten dollars per quarter.

SEC. 53. Every railroad company or steam ferry making connection with a railroad company having a depot or place of business within said city must pay a license tax of twenty-five dollars per quarter.

SEC. 54. Dentists are divided into two classes, permanent and traveling.

Permanent dentists are defined to be dentists who have a fixed place of business or office in said city, and all permanent dentists must pay a license tax of three dollars per year.

Traveling dentists are defined to be dentists who have not been permanetnly located in said city for a period of ninety days preceding the securing of a license and who advertise their business by performing dental surgery on the public streets, or in a public hall, or building, to people drawn to such place by advertising or music. All traveling dentists must pay a license tax of two dollars per day.

SEC. 55. Physicians are divided into two classes; permanent and traveling.

Permanent physicians are defined to be physicians who are regularly licensed,

and who carry on their profession at a fixed place of business in said city. All permanent physicians must pay a license tax of five dollars per year.

Traveling physicians are defined to be:

1. Regularly licensed physicians who have not had a fixed place of carrying on their profession in said city for three months preceding the securing of a license, and who advertise by circular or in the public prints, lauding their skill in medicine, or any of its branches.

2. Regularly licensed or other physicians, who take up a temporary abode in said city claiming to represent medical institutes and who carry on their business by means of constant advertising.

3. Persons not regularly licensed who attempt to carry on the business of prescribing for persons in ill health, and endeavor to secure business by advertising or puffing.

All traveling physicians as herein defined must pay a license tax of five dollars per day.

SEC. 56. Ordinance No. 204 relating to the issuance of licenses, and Ordinance No. 205, imposing license tax on business is hereby repealed.

SEC. 56½ Every attorney-at-law, contractor and barber in the City of Eureka shall pay a license tax of Five Dollars per year.

(Enacted by Ordinance No. 281, approved December 11th, 1901.)

SEC. 57. This ordinance shall take effect on November 1st, 1901.

ORDINANCE NO. 337.

AN ORDINANCE FIXING AN ANNUAL LICENSE FOR CONDUCTING GYMNASIUM, SWORD AND FOIL FENCING, SPARRING EXHIBITIONS, WRESTLING CONTESTS AND ATHLETIC ACTS AND SPORTS.

(Approved March 9th, 1904.)

Be it Ordained by the Council of the City of Eureka, as follows:

SECTION 1. Any domestic incorporated athletic club in the City of Eureka, County of Humboldt, State of California, that holds, manages or conducts any gymnasium or other suitable place wherein occur sword or foil fencing, amateur sparring exhibitions (not to exceed six rounds with gloves not less than five ounces in weight) wrestling contests and athletic acts and sports shall pay in advance an annual license of fifteen ($15.00) dollars.

This ordinance shall take effect immediately after its adoption and approval.

GROUP VII.

Sewer and Plumbing Ordinances.

Ordinances

Relative to

Sewers, Plumbing, etc.

(List of Ordinances Relating to Sewers, Plumbing Rules, Etc.)

Title Nos. Reference to Titles.

169—Relative to Adopting a Sewer System.

398—Sewer, Drainage and Plumbing Ordinance; Appointing Sewer Inspector.

Sewer Ordinances.

ORDINANCE NO. 169.

TO AMEND ORDINANCE 128, ENTITLED "RELATIVE TO ADOPTING A SEWER SYSTEM;" APPROVED JUNE 3d, 1889.

(Approved May 8th, 1894.)

The Mayor and Common Council of the City of Eureka do ordain as follows:

SECTION 1. The plan of a sewer system drawn and made by J. N. Lentell, City Engineer, and approved by W. F. Boardman, consulting engineer, filed in the office of the City Clerk on the 7th day of May, 1894, is hereby adopted as the official plan of a sewer system for the City of Eureka.

SEC. 2. If at any time it becomes necessary to make any slight changes or alterations in said plan, the said sewer committee are authorized to make such change or alteration without amending this Ordinance, and the change or alteration so made shall be noted on said plan by the City Engineer and become a part thereof.

SEC. 3. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEC. 4. This Ordinance shall take effect and be in force from and after its approval by the Mayor.

ORDINANCE NO. 398

AN ORDINANCE RELATIVE TO HOUSE DRAINAGE AND FIXING AND REGULATING THE USE OF SEWERS BY PRIVATE INDIVIDUALS AND CORPORATIONS IN THE CITY OF EUREKA, COMPELLING CONNECTIONS WITH SUCH SEWERS; CREATING THE OFFICE OF PLUMBING INSPECTOR; REGULATING HIS DUTIES; PROVIDING FOR HIS COMPENSATION; REGULATING THE ISSUANCE OF PERMITS BY SAID PLUMBING INSPECTOR; AND PROVIDING FOR THE REGISTRATION AND LICENSING OF MASTER PLUMBERS IN THE CITY OF EUREKA; AND FIXING THE AMOUNT OF ANNUAL LICENSE TAX TO BE PAID BY SUCH MASTER PLUMBERS.

(Approved September 6th, 1905.)

Be it Ordained by the Council of the City of Eureka, as follows:

SECTION 1. No person owning or occupying or having under his or her control any premises situated or being within 150 feet of a public sewer running through any street or alley in the City of Eureka, shall construct or maintain or

suffer to be or remain upon said premises so owned, occupied or controlled, any privy vault, or cesspool, at all, or any sink, drain or privy, except as in a manner hereinafter provided.

SEC 2. No person shall suffer or permit any premises belonging to or occupied by him or under his, her or their control, any cellar, vault, privy, cesspool, sewer, or private drain thereon or therein to become nauseous, foul, or offensive, and prejudicial to the public health or public comfort.

SEC. 3. All persons owning or occupying or having under his or her control any premises situated or being within 150 feet of a public sewer running through any street or alley in the City of Eureka, shall construct their private drains and water closets, basins, sinks, baths, and other plumbing fixtures therewith by means of vitrified ironstone or iron pipe not less than four inches in diameter, and shall be constructed in such a manner that it can be effectually flushed and cleansed and it shall also be provided with a trap, which will effectually prevent the escape of gases from the sewer into such dwelling house or building or outhouse.

SEC. 4. All persons owning or occupying or having under his or her control any premises situated or being within 150 feet of a public sewer running through any street or alley, in said City, shall use in all privies on said premises a water closet of approved pattern.

SEC. 5. All connections of private drains or sewers with the public sewers of said city shall be made in accordance with this ordinance.

SEC. 6. No person or corporation shall make any connection with any public sewer, or any pipe leading to the public sewer unless regularly licensed by the City of Eureka.

SEC. 7. Application for a license shall be made in writing to the Council of said City on blanks provided by the City.

SEC. 8. No person or corporation shall make any connection with any part of the public sewers, or opening into such public sewers, without written permit of the Plumbing Inspector.

SEC. 9. Applications for permits to connect with the sewers must be made in writing by the owner of the property to be drained or his authorized agent. Such applications shall give the precise location of the property, the name of the owner, and the name of the person employed to do the work.

SEC. 10. All permits to connect with the sewers shall be given upon the express condition that the committee on sewers may at any time, before the work is completed, revoke and annul the same, unless the work is done in accordance with the provisions of this ordinance, and no person or party interested shall have any right to claim damages in consequence of such permit being revoked or annuled.

SEC. 11. Any licensed plumber connecting any private drain with the public sewers shall be held responsible for any injury he may cause to the sewers or the public street. He shall restore the street to the satisfaction of the Superintendent of Streets, and make good any settlement of the ground or pavement.

SEC. 12. No person or corporation shall connect any open gutter, cesspool, privy, vault, or cistern with any public sewer or with any private sewer connecting with a public sewer.

SEC. 13. No rain water leader pipe shall be connected with the public sewers or with any private sewers connected with the public sewers.

SEC. 14. No person or corporation shall injure, break, or remove any portion of a man hole, lamp-hole, flush tank, or any part of the public sewer.

SEC. 15. Any person or corporation that shall desire to lay or drive any pipe

in any of the streets, upon which sewers are laid shall give at least twenty-four hours, notice to the Plumbing Inspector.

SEC. 16. No person or corporation shall deposit any garbage, offal, dead animals, sand, rags, potato peelings or any vegetable offal or any substance having a tendency to obstruct the flow of the sewerage in any man hole, lamp-hole, flush tank, water closet, sink, catch basin, urinal, or other plumbing fixture or fixtures connected with the sewer system of the City of Eureka.

SEC. 17. The sewer committee shall have the power to stop or disconnect any private drain from which substances are discharged which are liable to injure the sewers or obstruct the flow of the sewage.

SEC. 18. It shall be the duty of the Plumbing Inspector to notify in writing all persons owning or occupying or having under his or her control, any premises situated or being within 150 feet of a public sewer running through any street or alley in the City of Eureka, to connect their private drains, water closets, basins, sinks, baths, and other plumbing fixtures with such sewer in the manner provided for in this ordinance. Any person owning or occupying or having under his or her control any premises, as above provided, who shall fail, refuse or neglect to commence work within ten days from the date of the service of the aforesaid notice and diligently and without interruption prosecute the same to completion shall forfeit as a penalty therefor the sum of five dollars for each day's delay in commencing such work after the expiration of said ten days' notice, as aforesaid, and the sum of five dollars for each day's interruption of said work after the commencement thereof. Such penalty shall be recovered for the use of said City of Eureka by prosecution in the name of the People of the State of California, in the court having jurisdiction thereof, and shall be paid into the treasury of the City of Eureka to the use of said City and may be applied, if deemed expedient by the Council of the City of Eureka, in the payment of the expenses of such work not otherwise provided for. Should said owner or occupant or person having under his or her control such premises still fail, neglect or refuse to connect their private drains, sinks, and privies with such sewer, after the recovery by said City of the penalty provided for, the Council of the said City of Eureka may order the Plumbing Inspector to do said work and the costs thereof shall be recoverable in an action brought in the name of the City of Eureka for such purpose, or if deemed expedient by said Council the costs of such work may be paid from moneys recovered as a penalty under this section.

SEC. 19. No person or persons except the Plumbing Inspector, his assistant, or some licensed plumber, specially authorized by the Plumbing Inspector, shall be permitted to connect the private drain from any building, premises, or fixture with the sewer system of the City of Eureka.

SEC. 20. No person or persons, except the Plumbing Inspector of this City or the Superintendent of Streets, shall remove or interfere in any manner with the coverings of man holes, lamp-holes, flush tanks, or catch basins of the sewer system of the City of Eureka.

SEC. 21. When the premises are not within 150 feet of the City sewers, cesspools must be constructed and to be in size not less than 6 by 6 by 6 feet. The top of said cesspool to be not less than one foot below the surface of the ground and properly ventilated.

SEC. 22. Said cesspool must not be placed within 20 feet of any part of any dwelling, and house drains connecting therewith must be trapped and connected the same as house drains connecting with the City sewers.

SEC. 23. On and after the final passage of this ordinance the plumbing and

drainage of all buildings must be constructed in accordance with the following specifications:

Rules and Regulations for Plumbing and Drainage

1. All material must be of good quality and free from defects. The work must be done in a thorough and workmanlike manner.

2. The arrangement of drain, soil, waste, and vent pipes, must be as direct as possible. All changes in the direction of drain, soil, or waste pipes shall be made with full Y branches 1-16, 1-6, or 1-8 bends. Offsets may be used provided the angle they present is not less than that represented by a 1-6 bend. No double hub pipe or fittings will be allowed on any drain, soil, or waste pipe. T'ys can be used on vertical lines for direct connection to fixtures only. No saddle hubs or bands will be permitted to be used for new connections or repairs. Cast iron tapped tees can be used for basins only. Four by two, or any other heel outlet fitting will not be allowed to act as a waste pipe through the 2-inch opening excepting on vertical lines. Where architectural conditions are such that it is not practicable to use Y's or to comply strictly with the rules as to the manner of venting, then these rules must be complied with as near as practicable and the exceptions must meet with the approval of the Plumbing Inspector.

Sewer.

3. The sewer, when it lies under the building and for 3 feet beyond the foundation wall, shall be of cast iron pipe, and all fittings shall be of the same material. Outside of the building line, the sewer shall be continued to the main sewer in the street or alley with either cast iron pipe or vitrified ironstone pipe glazed and of the best quality, and not less than four inches inside diameter. During the suspension of work all openings must be closed with covers cemented in. This, however, shall not permit the use of intermediate sections of ironstone pipe between cast iron pipe, nor the introduction of cast iron sections between ironstone pipes.

House Sewer

4. House sewer is the term applied to that portion of the main drain extending from a point three feet outside of the outer face of the building or area wall to its connection with the public sewer.

House Drain.

5. House drain is the term applied to the main horizontal drain and its branches inside of the walls of the building extending to and connecting with the house sewer.

Soil Pipe

6. Soil pipe is the term applied to any vertical pipe extending through the roof and receiving the discharge of one or more water-closets, with or without other fixtures.

Waste Pipe.

7. Waste pipe is the term applied to any vertical pipe extending through the roof receiving the discharge of any fixture except water closet.

Iron Stone Pipe

8. Iron stone pipe must be glazed and be of the best quality, free from all defects. All joints must be made with the best Portland cement, and clean, sharp sand, mixed: One part cement to two parts sand. And when it is laid each joint must be cleaned out by a suitable and approved scraper. The diameter of the scraper must not be less than one-eighth of an inch less than that of the pipe in which it is used to clean. No rags or sacks or rag cleaner or sack cleaner will be allowed. All pipe must be laid in a straight line and have a continuous fall of not less than

one-quarter inch to the foot, and must be covered with at least six inches of earth. When a bend is necessary to be used in making a connection to the main sewer, said bend must not be less than six inches inside diameter. When a run of sewer is reduced in size, a suitable reducer must be used. When a sewer is laid in sand each joint must be packed with oakum and well cemented and wrapped on outside with cloth or burlap.

House Trap

9. Every house sewer, or house drain, must have a house or running trap not less than 4 inches inside diameter placed at curb line of sidewalk, or immediately inside the property line. Where the sewer runs through an alley and the building is on the alley line, the trap must be of cast iron, provided with a clean-out, and placed so it can be conveniently examined.

Fresh Air Inlet

10. Every house trap shall have a fresh air inlet of cast iron pipe not less than 4 inches inside diameter. Said inlet shall be connected to house side of trap, and lead to outer air terminating at a point not less than ten feet from any door or window. The end of the inlet, when it terminates in a sidewalk, must be protected by a cast iron grating, with an area of not less than 16 square inches of perforation. When it terminates in a yard or lawn it must be protected by a cowl with galvanized wire screen, quarter inch mesh, fastened on inside. The cowl to extend six inches above finished grade. When the air inlet is offsetted a cleanout must be provided on trap.

Joints on Cast Iron Pipes.

11. All joints on cast iron pipes and fittings must be made with suitable packing of oakum and molten lead and properly caulked leaving a full joint.

House Drain

12. The house drain must be of extra heavy cast iron pipe and fittings in three story buildings or over, also when laid under concrete or tiled basement floors. In one or two story buildings standard weight pipe may be used.

All sewers and soil and waste pipes must be run in a straight line and have a continuous fall of not less than one-quarter of an inch to one foot and if possible, more.

Where practicable it shall be run along cellar wall, of if laid under said cellar or lowest floor of a building it shall be hung with iron hangers, securely fastened to the floor joists.

When it is not possible to run and fasten the cast iron sewer pipe as above directed it may be run in a trench cut to uniform grade.

Clean Outs

13. Heavy brass male thread "clean outs" of at least one eighth of an inch in thickness, with three sixteenth of an inch thickness, in cover, the same to have a solid square head of one and one half inches square and one inch in height shall be placed at the end of each horizontal line of house drain pipe. In no case shall the cleanout provided for the main horizontal cast iron house drain pipe be of a diameter of less than four inches. In all other drains the clean out shall be of the same size as the pipes they serve.

Material of Pipe

14. Every soil and drain pipe shall be of cast or wrought iron pipe. Waste pipes may be of cast or wrought iron or of lead. Where lead is used it shall be used only as branches to connect with the cast or wrought iron. Said branches shall not exceed five feet in length.

Securing Pipe.

15. No soil pipe of a diameter less than four inches inside shall be permitted, and all soil and waste pipes shall be thoroughly fastened and secured every five feet with either heavy wrought galvanized iron straps or hooks or pipe hangers.

Iron in straps to be not less than 12 gauge, and to be screwed to wood work when on the outside wall of the building.

Extra Heavy Pipe

16. In every building where the drop from the highest fixture in the building to the level of the lowest point of the sewer or drain in the building exceeds 40 feet, all sewer, drain soil and waste pipes shall be extra heavy. The vent pipes may be of the standard weight above highest fixtures.

Old Sewers

17. When either an old or a new building is placed upon a lot which has an old sewer within the lines of any part of the foundation said sewer must be replaced with cast iron pipe run according to this ordinance.

Coating Pipe

18. All cast or wrought iron pipes and fittings used for soil, waste, or drain pipes must be coated both outside and inside with coal tar pitch applied hot. Vent pipes and fittings, when of wrought iron, must be galvanized.

Wrought Iron Pipe System

19. When wrought-iron pipe is used for waste, soil, or sewer pipe, it shall be of the quality known as standard thickness, and all changes of direction shall be made with Y branches and 1-16, 1-6, or 1-8 bends, threaded on the inside and so constructed as to form a bore uniform with the pipe without any burrs or recesses. Only recessed full bore sockets will be permitted. No ordinary plain pipe or fittings will be permitted.

Lead Pipe Connections

20. When lead waste pipe is used it must intersect at the same angles as given by Y's, 1-16, 1-6, or 1-8 bends, all joints to be wiped. All connections of lead with cast or wrought-iron pipe must be made with brass ferrules of the same size as lead pipe and connected to the same with a wiped joint.

No Flues for Sewer Ventilation

21. No brick, sheet metal, or earthenware flue shall be used as a sewer ventilator. Nor shall any chimney flue be used for this purpose.

Rain Water Leaders

22. No rain-water leader shall be connected with the sewer.

Surface Drainage

23. No openings shall be provided in the sewer pipe of any building for the purpose of surface drainage.

Rain Water Leaders

24. Rain-water leaders must never be used as a soil, waste, or vent pipe. Nor shall any soil, waste or vent pipe be used as a rain-water leader.

SteamExhaust

25. No steam exhaust shall connect with any drain, soil, or waste pipe or any part of the City sewer system. A steam condenser, however, may be permitted upon the approval and with the consent of the City Council.

Pipes Must Not be Built Into Walls

26. No soil, waste, or vent pipe of any kind shall be built into brick, stone, or concrete walls. When necessary to conceal pipes of this class they must be run in suitable reveals or recesses.

Fixtures to be Trapped

27. Every water-closet, urinal, sink, basin, bath, set of washtrays and hopper must be separately and effectively trapped. The traps must be placed as near to the fixtures as possible and in no case more than two feet from fixtures. In no case shall the trap of one fixture connect with the trap of another.

No Traps at Foot of Stack

28. There shall be no traps placed at the foot of vertical soil or waste pipe.

Traps Must be Ventilated

29. Traps must be protected from siphonage by special air pipes of lead, wrought, or cast iron, of a size not less than the traps they serve, and, if to supply air to a water-closet, not less than two inches in diameter. At the end of all horizontal runs of vent pipe, a screwed plug shall be placed, also at the bottom of all vertical vent lines where sediment is liable to collect a suitable drip plug not less than one foot long shall be placed, or return to soil or waste below lowest fixture. If the plug is at the foot of a vertical concealed vent, then it shall be so placed as to admit cleaning. In no case shall a plug or drip be of a size less than the vent they serve.

Traps.

30. If the traps are to be stack vented, they must be within two feet of the stack, except water-closets, then three feet is permitted.

No fixture excepting basins shall have a trap of a diameter less than one and one-half inches.

Single basin traps may be one and one-quarter inches. Single urinals shall not have a trap larger than one and one-half inches in diameter.

Wash Room For Carriages

31. Wash rooms for carriages must be provided with proper means for intercepting sediment.

Traps.

32. All traps excepting baths, hoppers and closet traps must have a suitable trap screw or other means whereby they can be easily cleaned.

Vents.

33. All air pipes shall run of undiminished size separately or combined through the roof and for one foot above roof or fire wall and be left open, or they may be connected to the main stack at a point not less than three feet above the floor line. In no case shall they be allowed to be carried down from th fixture.

Ventilating pipes must be run with as few bends as possible, and must be graded, and the branches must be connected to main vent at an angle of not less than forty-five degrees and be increased every thirty feet. When combined the vent pipes must be increased in size according to the following table:

In all buildings of four stories or less, branch vents of waterclosets shall not be of a size less than the following: (The term branch vent as here applied shall be construed to mean all that vent pipe located between the fixture and the points where the vent joins into the main vertical vent.)

Four water-closets may be vented into a 2½ inch branch vent. Five to eight water-closets may be vented into a 3 inch branch vent. Nine or more water-closets may be vented into a 4 inch vent. Three water-closets may be vented into a two inch branch vent and a 2½ inch vent. Single water-closets located in the basement or first floor of a building, if the soil pipe drop does not exceed ten feet, may be vented by a 2 inch vent pipe for a distance of 30 feet. When the vent pipe is longer than 30 feet then the entire vent shall be 2½ inch until the distance of 60

feet, when it shall be increased to 3 inch to the finish. In all cases where the soil pipe has a drop of ten feet or greater, then the soil pipe shall be continued to a point one foot above roof or fire wall and act as a vent pipe.

In each and every building to be used as a residence or otherwise, and where a water-closet or water-closets is or are situated, then in any and all cases it shall be required that at least one four inch vent pipe be continued to above roof line irrespective of what distance the soil pipe may drop.

Three wash basins, baths, or similar fixtures may be ventilated by a two inch vertical vent pipe.

Six similar fixtures may be vented by a 2½ inch vertical vent pipe.

Twelve similar fixtures may be vented by a 3 inch vertical vent pipe.

When more than twelve fixtures, they may be vented by a 4 inch vertical vent pipe.

One or two fixtures, having 1¼ or 1½ inch straps, may be vented by a 1½ inch vent pipe, when the vent does not exceed 25 feet. When it is in excess of 25 feet then the entire main vent shall be of a 2 inch pipe.

In buildings of five stories or over not more than 20 feet may be used as a branch vent.

When horizontal branch vents are used on fixtures the said branch vent shall not exceed five feet in length.

Every vertical soil, waste, or vent pipe, or unless otherwise provided for, must extend full bore one foot above roof or fire wall.

No caps or cowls shall be affixed to the top of any vent pipe, though a strong wire basket may be used.

No soil or vent pipe shall terminate at a point within ten feet of the bottom line of any door or window ventilator or house tank of building or adjoining building.

Soil, waste, or vent pipes of fixtures set in an extension, within eight feet of main building, must extend one foot above roof or fire wall of main building.

Waste Pipes

34. The house drain to receive the discharge from not less than eight sinks, baths, basins, urinals, or similar fixtures, shall not be less than three inches inside diameter.

The house drain for less than eight similar fixtures, shall not be less than two inch pipe and branches not less than one and one-half inches.

No waste pipe shall be less than one and one-half inches inside diameter and that only for a single basin.

House Drains and House Sewers

Number of fixtures allowed on House Drains and House Sewers:

Minimum diameter	Number of Fixtures
4 inch	1 to 20
5 inch	21 to 35
6 inch	36 to

(It shall be reckoned that four basins or baths or similar fixtures shall equal two water-closets, and so at that ratio.)

Slop Hoppers

35. No slop hopper shall be allowed inside any building or enclosed porch. All slop hoppers shall be provided with a suitable trap of not less than two inches inside diameter, vented by a two inch vent pipe.

When more than one hopper is set on separate floors, one above the other, and

are within two feet of stack, a three inch waste and line vent is required. Bell traps shall not be allowed in any case.

Safe Waste

36. Every safe under a basin, bath, water-closet, tank, or other fixture may be drained with a special pipe of lead, galvanized iron or dipped iron pipe, of a diameter of not less than one inch, and in no case directly connected with any soil, waste, vent, drain, or sewer pipe.

Urinal safe waste, and cemented or tiled cellar floor drains may be connected with soil, drain, or waste pipe, provided they are properly trapper and ventilated and provided with a strainer securely fastened, and supplied with water from a near fixture.

Water Closets.

37. Water closets must be constructed of earthenware or enamelled iron. No ironstone, stone, brick, cement, wooden or porous substances will be permitted. All water-closets must be supplied from tanks or properly designed flush valves, the water of which shall not be used for any other purpose. The flush pipe shall not be less than 1¼ inches in diameter. This shall apply to both single water-closets and closets built in series or ranges. No rubber connection will be allowed between water-closets and vent pipes. All interior water-closets must be connected with a properly constructed brass flange soldered to the lead soil pipe, and with red lead putty or properly constructed rubber gasket joints. Hopper closets shall not be allowed inside any building or enclosed porch. They may, however, be used in yards or upon open porches, provided they are supplied with a tank. Pan and plug closets are strictly prohibited.

Urinals

38. All urinals must be constructed of earthenware enamelled iron or stone and be properly supplied with water. In public places they must be supplied by an automatic flush tank.

Sinks and Washtrays

39. No wooden sinks or washtrays will be allowed to be set or old ones replaced on the premises of any residence or tenament which is to be used as a dwelling. Bathtubs, the frame of which is wooden, and which said frame is lined with sheet metal are not allowed; and all fixtures must be open to the free circulation of the air, and shall not be enclosed so as to harbor vermin.

No Enclosed Work.

40. No enclosed fixtures shall be permitted.

Ventilation of Rooms

41. Each and every compartment wherein a water-closet or urinal is situated shall be ventilated by means of a window opening directly to the external atmosphere, or by means of an air shaft continued above the roof. No air shaft or window ventilating either a water-closet or urinal compartment shall discharge into or ventilate any other compartment whatever. This, however, shall not prevent the enlargement of air shafts to a size suitable for its duties, so as to ventilate a series of closets or urinals. All in conformity with the instructions and subject to the approval of the City Council.

Moved Buildings

42. When a building is moved or when an addition or alteration is made to and in a building, where new fixtures are to be put in the addition, and old fixtures are to be altered and reset in the old portion of the building, then, both the new fix-

tures put in and the old plumbing in the building, must be placed in a sanitary condition and comply with these rules and regulations.

Condemned Buildings

43. When a building has been condemned; that is when a building has been inspected and the plumbing work condemned by the Plumbing Inspector as being in an unsanitary condition, notice shall be given in writing to that effect informing the agent or owner of said building what character of repairs or improvements are to be made, and that if there are any objections to the repairs or improvements ordered they must be filed in the office of the Plumbing Inspector within a period of three days, and if objections are not so filed the alterations or improvements must be made as directed. If objections are made the agent or owner shall be heard by the Sewer Committee of the City Council and its decision shall be final and conclusive as to the repairs or alterations to be made; provided, if any questions are involved which the Sewer Committee consider require consideration and the judgment of the Board of Health, such questions shall be first submitted to the Board of Health before the said Sewer Committee renders a final judgment.

Strainers.

44. Waste pipes to all fixtures except water-closets shall be furnished with suitable and securely attached strainers.

45. In cases where the plumbing work has been completed in a building before these rules and regulations came in force, if the plumbing has been done in accordance with these rules and regulations permits will be granted for making connection with the sewer, as in new works, but in case the plumbing is not in accordance with these rules and regulations, such alterations shall be made as the Plumbing Inspector shall direct to make the building safe to the persons residing in the house, and such as to be no source of injury or stoppage to the sewer, in all cases each fixture must be vented, and one four inch vent through the roof.

46. All beer pumps, water filters, ice boxes, bar sinks, refrigerators and any special fixture or fixtures of a temporary nature must be sanitarily connected and a plan submitted to the inspection of the Plumbing Inspector and by him approved prior to putting the same in.

47. No alterations or changes in plumbing work or fixtures in new or old buildings shall be done until application is made and permit granted by the Plumbing Inspector. The applicant must furnish plans and specifications of the work to be altered or changed and if found to be in accordance with the rules and regulations as herein contained in this ordinance then a permit will be granted to do the work. This rule shall not be construed to include leaks, repairs, breaks in pipes or stoppage of the same.

48. When fixtures are discontinued or removed and the waste and vent pipes left in the building, the old connection must be sealed air tight.

When repairs or work on stoppages are started they must be concluded to a finish and all taps or breaks made in the drainage system must be replaced by new pipes or fittings. The licensed plumber will be held responsible for leaving any work in an unsanitary condition.

Test

49. All soil, waste, vent and drain pipes inside and outside a building before being covered, must have all openings stopped, and be filled with water. This test must be made in the presence of the Plumbing Inspector and if satisfactory to him he shall issue a proper certificate.

Notice must be given the Plumbing Inspector when the work is sufficiently advanced for inspection

When pipes are tested in sections or when alterations are made there shall be another test made before connections are made to House Sewer. Immediately on the completion of the work notice must be given for final inspection.

Plumbing Inspection

50. The house drain must be three feet outside the building line, and vents one foot above roof, filled with water to main roof line, free from leaks, split or defective pipe, or fittings, cement, wax, or any kind of dope. Work must be properly strapped and done according to approved plan and in accordance with these rules and regulations when notice is sent to the Inspector for the first inspection.

Final Inspection

51. All fixtures must be in accordance with these rules and regulations and be free from leaks and all work finished and supplied with water, when notice is given or sent to the Inspector for the final inspection. The plumber must be on the job when both first and final inspections are made and he is to receive the certificate of inspection.

House Sewer Inspection

52. Application must be filed and permit granted, all pipe, fittings, cement, and sand and scraper must be on the job for inspection and at least ten feet of ditch graded before sewer is tapped. No pipe shall be covered until approved by the Plumbing Inspector or Assistant.

Plumbing Plans and Applications

53. Before any plumbing permits are issued, applications must be filed with the Plumbing Inspector, giving description and number of fixtures, location of building, names of architect, owner and plumber, and an accurate plan of the work to be done, giving location of fixtures, sizes of pipe, location of cleanouts, and house traps measured from property line, also direction of house sewer from connection of house drain. Work must be ready for inspection when notice is sent to the Inspector.

The failure on the part of the Master Plumber to make application for test and final inspections or the violation of any of the rules of this ordinance, in the construction of any plumbing work, and failure to correct the fault within 3 days after notification, will be deemed sufficient cause to have his license suspended for such length of time as the sewer committee of the Council may deem proper.

No master plumber shall construct or alter a system of plumbing during the time of his suspension.

All good buildings already constructed shall be subject to these rules, buildings or fixtures of a temporary nature the Plumbing Inspector shall use his judgment as to the requirements of these provisions.

SEC. 24. The Mayor shall appoint a practical plumber as Plumbing Inspector. Before entering upon the duties of his office he shall execute a bond in the sum of two thousand five hundred dollars in favor of the City of Eureka, with two good and sufficient sureties, or surety company, conditioned for the faithful performance of the duties of his office. Said bond shall be approved by the City Council and filed with the City Clerk. The compensation of the Plumbing Inspector shall be ninety dollars ($90) per month.

Duties of the Plumbing Inspector

The Plumbing Inspector shall be at this office between the hours of 8 and 9 o'clock, a. m., and 1 and 2 o'clock, p. m., of each and every working days, legal holi-

days excepted, to receive plans of proposed drainage, to issue permits, receive fees, and to do and perform such other official acts as are in his line of duty.

He shall number and file all plans and applications accepted, and keep a record of the names of the owners and plumbers and the location of work.

He shall within twenty-four hours of time of notice examine all plumbing work before the same is covered up or concealed, and, if found to be in accordance with this ordinance upon the presentation of an accurate plan of the same by the plumber shall issue a certificate to that effect. Upon completion of any plumbing work he shall examine the same and if found to be in accordance with this ordinance and the plans filed, he shall issue a final certificate.

He must make a monthly report to the City Council of the number of plumbing plans and applications received, the number approved and rejected, also the number of first and final examinations made, number of sewer applications received and permits issued and sewer connections made; the amount of fees collected and turned over to the City Treasurer. He shall also report the places where and the persons who have violated any of the provisions of this ordinance.

Fees.

A fee of one dollar for the first or single fixture and fifty cents for each subsequent fixture not to exceed the sum of ten dollars in all, must accompany the application and plans and be paid to the Plumbing Inspector for costs of examination of plans and completed work. (The term "fixture" means roughing in work, whether fixtures are set or not.) A fee of one dollar must be paid for the examination of alterations and changes in house drains lines. A fee of one dollar must be paid for the inspection of sewer connections and house sewer. If the Plumbing Inspector is called more than twice to any piece of work on account of defects in its construction the Master Plumber doing the work must pay to the said Inspector two dollars for each subsequent visit. And such fees shall be deposited in the City Treasury by the Plumbing Inspector for the use and benefit of the said City.

Registration

On and after the passage of this ordinance every plumber doing business in the City of Eureka shall register his name and his address at the offices of the City Clerk and Plumbing Inspector of said City.

Bonds.

Every master plumber before he shall be allowed to register shall give a bond to the City of Eureka in the sum of one thousand dollars with two good and sufficient sureties, or surety company, conditioned for the faithful discharge of his duties as a master plumber, in compliance with the requirements of this ordinance and such amendments as may be made hereto, which said bond shall be filed with and approved by the City Council.

License

No license shall be granted to a master plumber for more than one year or for the unexpired portion thereof. All licenses expire upon the first day of July of each year unless sooner revoked. Upon the expiration of the yearly license every master plumber, carrying on the business of plumbing, shall be required to be again registered and file a new bond, as provided for in this ordinance. Upon filing and approval of the bond, the Council may order the City Clerk to issue a license to such master plumber. Each master plumber to whom a license is issued under this ordinance shall pay an annual license tax of $5, in advance, upon the issuance to him of such license.

SEC. 25. Any person violating any of the provisions of this ordinance shall

be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed five hundred dollars, or by imprisonment in the County Jail not to exceed six months, or by both such fine and imprisonment.

SEC. 26. Ordinance Number 301, Ordinance No. 302, Ordinance No. 303, and Ordinance No. 230, and all other Ordinances of the City of Eureka that conflict herewith are hereby repealed.

This ordinance shall be of full force and effect upon its approval by the Mayor.

GROUP VIII.

Sidewalk Ordinances.

Ordinances

Relative to

Sidewalks.

(List of Ordinances Relating to Sidewalks.)

Title Nos.	Reference to Titles.
198	Regulating Use of Sidewalks by Bicycles; Bicycle Regulations.
252	Prohibiting Obstruction of Sidewalks by Congregation of People.
358	Providing for the Construction and Care of Sidewalks.
396	Regulating Repairing Sidewalks; Also Streets, Lanes and Alleys.

Sidewalk Ordinances.

ORDINANCE NO. 198.

TO REGULATE THE USE OF BICYCLES AND TO PREVENT UNLAWFUL INTERFERENCE WITH AND INJURY TO SAME.

(Approved Dec. 2d, 1895.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. It shall be unlawful for any person to ride any bicycle on any of the sidewalks in the City of Eureka within the following described limits, to-wit: Commencing at a point were the east line of "K" street intersects the water front, and running thence southerly along the said east line of said "K" street to the south line of Fifth street, thence westerly along said south line of said Fifth street to the east line of "C" street, thence northerly along the east line of said "C" street, to the water front, and thence easterly along the water front to the place of beginning; excepting from the above described sidewalks those on Third street between "C" and "D" streets and exempting from the above described sidewalks, the one on the east side of "G" street between the south side of Fifth street and south side of Second street, and exempting from the above described sidwalks, the one on the north side of Second street from the east line of "K" street to the east line of "G" street in the said City of Eureka. It shall also be unlawful for any person to ride a bicycle on the sidewalk on the west side of Summer street between Clark and "A" streets in said city, and on the sidewalk on the north side of Second street between "A" and "G" streets in said city. (Amended: Ordinance No. 254, approved Nov. 7th, 1900.

SEC. 2. It shall be unlawful for any person to ride any bicycle upon any of the sidewalks or street crossings within the City of Eureka at a higher rate of speed than eight (8) miles an hour; and in turning or passing corners on sidewalks or crossing the rate of speed shall not exceed four (4) miles an hour.

SEC. 3. Whenever any person riding a bicycle shall meet any other person riding a bicycle, or shall meet any pedestrian, if it is necessary to turn out, such persons so meeting shall turn to the right.

SEC. 4. Every person riding a bicycle upon any sidewalk within the City of Eureka, shall at all times while so riding, keep securely fastened upon his or her bicycle, a bell or alarm which the motion of the bicycle will cause to ring or strike continuously.

SEC. 5. No person while riding a bicycle in the City of Eureka shall wilfully or negligently run against or collide with, or cause or permit such bicycle to run against or collide with any person or vehicle.

SEC. 6. It shall be unlawful for any person to wilfully impede or prevent another, riding a bicycle, from passing upon, along or across any alley, sidewalk, street or street crossing in the City of Eureka.

SEC. 7. All persons are hereby prohibited from riding a bicycle on any of the sidewalks of the City of Eureka after dark without having a lamp or lantern attached to such bicycle in such a manner as to constantly cast a plain and distinct light in front of such bicycle.

SEC. 8. All persons are bereby prohibited from placing in or upon any street, alley or sidewalk in the City of Eureka any glass, tacks, nails, cans, or other object or thing calculated to pierce or injure the tires of bicycles.

SEC. 9. Any person violating any of the provisions of this Ordinance (excepting Section 3 thereof) shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding twenty-five (25) dollars.

SEC. 10. Ordinance No. 194 of the City of Eureka is hereby repealed.

SEC. 11. This Ordinance shall take effect from and after its first publication.

ORDINANCE NO. 252.

REGULATING THE COLLECTION AND CONGREGATION OF PERSONS UPON THE STREETS OF THE CITY OF EUREKA.

(Approved August 21st, 1900.)

Be it ordained by the Council of the City of Eureka, as follows:

SECTION 1. The collection or congregation of persons upon the streets or sidewalks of the City of Eureka, at such times and places, and in such numbers and manner as to obstruct and impede public travel thereon, or to injuriously affect or interfere with the business of any person or persons on such streets or sidewalks, is hereby prohibited; and it is made the duty of any peace officer to order all such collection or congregations of persons to quietly disperse, and the failure or refusal of any person or persons to promptly obey such order of any peace officer, shall be deemed a misdemeanor.

SEC. 2. Every person violating any provision of this Ordinance, shall, upon conviction, be punished by a fine not exceeding two hundred and fifty ($250.00) dollars, or imprisonment not exceeding ten (10) days, or by both such fine and imprisonment.

SEC. 3. This ordinance shall, after its approval, be published for five times in the Humboldt Times, and shall, upon the last publication, go into immediate effect.

ORDINANCE NO. 358.

PROVIDING FOR THE CONSTRUCTION AND CARE OF SIDEWALKS.

(Approved July 21, 1904.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. All sidewalks within the corporate limits of the City of Eureka, must be constructed and maintained in accordance with the provisions and requirements of this ordinance.

SEC. 2. Sidewalks shall be built of wood, or constructed of cement or bituminous sand rock, as hereinafter provided.

SEC. 3. All wood sidewalks shall be constructed according to the following specifications:

"A" The wood used shall be entirely merchantable or clear lumber. The plank shall be at least two inches thick, surfaced on one side and of uniform thick-

ness. Such planks shall be spiked or nailed to stringers with at least twenty penny nails or spikes and said stringers shall be not less than four by six inches in size. Such planks shall be laid at right angles to the street on which they are laid, shall have an even surface, shall have a raise fromthe curb of one-fourth of an inch to the foot, and shall correspond with the official grade of the street along the curb.

"B" All wooden sidewalks shall have at least four supoprting stringers or sills.

"C" The corners of such sidewalks at all intersections of streets shall be rounded to conform to the circumference of a circle having a radius of eight feet; and such corners at all intersections of streets and alleys shall be rounded to conform to the circumference of a circle having a radius of four feet.

"D" Every wooden sidewalk shall have a curb which may be of wood. cement or stone. Cement or stone curbs shall be laid in accordance with the provisions hereinafter contained. Wooden curbs must be constructed of merchantable or clear redwood planks, not less than four inches in thickness, fourteen inches in width, and not less than six feet in length, except when a shorter length is necessary in making curves at corner. Such curbs at corners of streets shall be constructed so as to harmonize to the grades of the intersecting streets. Such curbs shall be so laid that when the two inch planks are resting thereon, the top of said planks above the said curb shall conform to the official grade of the street of which such side walk forms a part along the whole course of said sidewalk. All plank sidewalks shall extend from the property line to the curb.

SEC. 4. Cement sidewalks shall be constructed according to the following specifications:

"A" The ground upon which a cement sidewalk is to be laid shall first be brought to sub-grade by excavating or filling so that such sub-grade shall be three and three-fourth inches below the line of the established grade of the street upon which such sidewalk is to be laid. The said ground must then be wet and tamped or rolled thoroughly until the surface is hard and even. On such sub-grades and surface so obtained there shall be placed three inches of concrete, composed of the following materials and prepared in the following manner: Cement, which shall be the best Portland cement, one part, sand three parts, and gravel four parts; all to be well mixed dry, by turning at least twice, then to be wet and to be turned while it is being made wet, to be thoroughly mixed thereby, then said concrete to be put in place and thoroughly tamped.

"B" The said concrete to be covered with a wearing surface to be three-fourths of an inch thick, and composed of equal part clean, sharp sand and the best Portland cement, thoroughly mixed. Such surface to be well troweled down to an even surface and when such sidewalk is twelve feet wide it shall be marked in regular squares and finished in a good and workmanlike manner. Such work upon being finished shall be allowed to set for twelve hours, and shall then be covered up and kept wet for ten days.

"C" The Portland cement to be used shall be either of the brand of "White," "Gillingham," or "K. B. & S." or cement of equal quality. The gravel shall be of the size that it will pass through a two-inch ring, and the sand shall be silicious sand, free from loam, mica, or other impurities.

"D" A sufficient quantity of lamp black must be used in the concrete composing the wearing surface to give the finished work a dark slate color.

"E" Wherever the grade exceeds twelve per cent the artificial stone or cement must be finished off with a rough surface at least equivalent to corrugations

formed by depressed channels three-quarters of an inch wide and one-quarter of an inch deep, two and one-quarter inches between centers.

"F" Where squares are marked on said sidewalk they must not be more than three feet square.

"G". All cement sidewalks hereafter laid must be provided with expands on joints. These are to be spaced not more than 75 feet apart, and are to extend across the sidewalk on lines at right angles to the curb. When new cement sidewalk abutts at both ends against old cement sidewalks, expansion joints will be required at each end whenever its length exceeds fifty feet, otherwise at only one end. Expansion joints will always be required upon both sides of cement sidewalks at corners when abutting against other cement sidewalks. Such expansion joints are to be made one-half inch in width for the full depth of the concreate, and after the same has set, are to be filled with hot asphaltic cement, to which enough powdered limestone has been added to bring it to a suitable consistency.

"H" All cement sidewalks shall have a curb which shall be constructed of cement or stone as hereinafter set forth, provided, that in the case of cement sidewalks the curb may be made a constituent part of the sidewalk. Such curb shall be of the same heighth and conform to the grade of the street of which it is a part.

SEC. 5. Bitumenous sand rock sidewalks shall be constructed according to the following specifications:

"A" The ground where said sidewalk is to be laid shall be sub-graded and prepared as provided for cement sidewalks in section four of this Ordinance. Concrete shall be spread over the said sidewalk surface which concrete shall be prepared as specified in said section four, and shall be two and one-half inches thick.

"B" Upon said cement foundation shall be laid bituminous rock which shall be prepared for spreading and of the quality prescribed for bituminous pavement in the City of Eureka. It shall be laid on and spread as is prescribed for bituminous street pavement.

"C" The bitumenous rock after compacting must be at least one and one-quarter inches thick and must have a smooth even surface.

"D" All bitumenous rock sidewalks shall have a cement or stone curb which shall be constructed as hereinafter provided. Such curb shall be of the same height as the street grade and conform thereto in all its parts.

"E" Such sidewalks shall be laid so as to have a raise of one-fifth of an inch to the foot from the curb.

SEC. 6. All cement curbing for sidewalks shall be constructed in accordance with the following specifications:

"A" The concrete therefor shall be composed of the materials and shall be prepared as provided for cement concrete in section four of this Ordinance.

"B" Such curbs shall be sixteen inches in depth and eight inches thick. The face of the curb for twelve inches from the top shall be prepared as follows: When the planks are set to receive the concrete, twelve inches from the top of the curb the facing thereof shall be started with dry fine, by using one part of Portland cement of first quality, and one part of sand. Before placing in the concrete there shall be placed a board one-half inch thick and four inches wide; the concrete shall then be placed against the board, the board shall then be removed and the space filled with dry fine, as above specified. The concrete shall then be thoroughly tamped within three-fourths inch from the top; then the top shall be laid on, composed of equal parts of cement and sharp sand, well mixed; and the curb shall be finished in a good and workmanlike manner.

"C" The said curb shall conform to the official grade of the street in which it is laid.

SEC. 7. All natural stone curbing for sidewalks shall be constructed according to the following specifications:

"A" All natural stone curbing shall be constructed of stone of good quality, sound, hard, and of uniform color and texture, free from cracks, seams or sand pockets, cut rectangular in form, not less than sixteen inches in depth, six inches in width, and not less than four feet in length when dressed; the top and face of the curbstone shall be dressed smooth and even to a depth of twelve inches below the top, and dressed not less than one inch down on the back; all curbstone shall be of uniform thickness and depth throughout and free from seams. No wedge shaped, warped or otherwise defective stone shall be used. The ends shall be dressed smooth so as to make close joints through the full thickness of the stone for a distance of not less than twelve inches down from the top. All joints shall be made close fitting and in a good workmanlike manner, and all joints shall be filled with cement grout. The curb is to be set with plumb face, square section top, true to line and street grade in all its parts; the curb shall rest on four inches of sand on the bottom; all back filling to be thoroughly tamped within four inches of the top of the curb, so there will be no displacement of the curb; the curb to be cut on a curve on the corners of intersections of streets and alleys on the same circumference hereinbefore prescribed for wooden curbs. The foundation to be thoroughly prepared and the earth on the sides of the curb shall be well rammed to prevent it from settling.

"B" The said curb shall conform in height to the official grade of the street in which it is laid.

SEC. 8. The concrete and also the bituminous rock sidewalks shall be twelve feet wide within the following described part of the City of Eureka.

Beginning at a point where the west line of A street intersects the water front line of Humboldt Bay, thence south along the west line of A street to the north line of Sixth street, then east along the north line of Sixth street to the east line of J street, thence along the east line of J street to the north line of Fourth street; thence along the north line of Fourth street to the west line of I street; thence along the west line of I street to Humboldt Bay, provided that the sidewalk along the north side of First street shall be nine feet wide.

(Amended: Approved Dec. 8, 1904; Ordinance No. 375.)

SEC. 9. The Council may grant the privilege upon a written petition made for the purpose, to any property owner within the City of Eureka to build or construct cement or bituminous rock sidewalk outside of that part of the city described in Section 8 of this Ordinance, which shall be less than twelve feet in width. Such sidewalks must be constructed for at least one block and can be built only upon the petition of the property owners owning one side of a block petitioning for the same. Such sidewalks may be built in the following manner:

"A" Such sidewalk may be eight feet and four inches wide from the property line and the remaining three feet and eight inches may be raised with earth to the grade of the sidewalk and kept as a grass plat or lawn.

"B" On streets where there is no street car line such lawn or grass plat may be extended into the street so that the outer line of the curb will be eighteen feet from the property line.

"C" A space three feet in width along the property line may be made into a lawn or grass plat, leaving the cement or bituminous walk outside five feet and four inches in width but no walk shall be less than said width.

"D" Walks connecting premises with the outer lines of sidewalks may be

built of cement, or bituminous sand rock, six feet in width, and where such walks are built the corners must be rounded as required for corners at the intersection of streets and alleys for sidewalks.

"E" Where the line of the grass plat is eighteen feet from the property line there must be an outer wooden curb constructed as wooden curbs are herein provided to be constructed. Where the sidewalk and grass plat are twelve feet wide curbs may be of wood, stone or cement as hereinbefore provided.

"F" Where such narrow sidewalks are constructed of bituminous sand rock the edges are to be retained by 2x4 inch redwood strips spiked to 2x4 inch redwood stakes 15 inches long driven every six feet apart, all flush with the surface of the walk.

"G" All curbs constructed in connection with such narrow sidewalks shall conform to the street grade and there shall be a rise from all curbs to the property line of one-fifth of an inch to the foot.

SEC. 10. All sidewalks shall be constructed under the supervision and to the satisfaction of the Superintendent of Streets and City Engineer.

SEC. 11. All grade lines and curb lines must be given by the City Engineer and all sidewalks must be constructed in conformity with such lines.

SEC. 12. All cement and bituminous narrow sidewalks provided for by Section 9 of this Ordinance so far as materials and preparation of the ground is concerned shall be constructed in the same manner provided for twelve foot sidewalks of the same materials.

SEC. 13. All ordinances or parts of Ordinances in conflict with this ordinance are hereby repealed.

SEC. 14. This Ordinance shall take effect immediately.

ORDINANCE NO. 396.

AN ORDINANCE REGULATING AND ENFORCING THE REPAIRING OF STREETS, LANES, ALLEYS, COURTS, PLACES, AND SIDEWALKS IN THE CITY OF EUREKA.

(Approved Sept. 6th, 1905.)

Be it ordained by the Council of the City of Eureka, as follows:

SECTION 1. When any portion of any street, avenue, lane, alley, court or place in the City of Eureka, improved, or any sidewalk constructed thereon, according to law, shall be out of repair, and in condition to endanger persons or property passing thereon, or in condition to interfere with the public convenience in the use thereof, it shall be the duty of the Superintendent of Streets of said City to require, by notice in writing, to be delivered to them personally, or left on the premises, the owner or occupants of lots or portions of lots, fronting on said portion of said street, avenue, lane, alley, court or place, or of said portion of said sidewalk so out of repair, as aforesaid, to repair forthwith, said portion of said street, avenue, lane, alley, court or place to the center thereof, or said sidewalk in front of the property of which he is the owner, or tenant, or occupant, and said Superintendent of Streets shall specify in said notice what work is required to be done, and how the same is to be done, and what material shall be used in said repairs.

SEC. 2. Any owner, tenant or occupant who shall fail, refuse or neglect to

commence such repairs within three days from the date of the service of the aforesaid notice to make such repairs, and diligently and without interruption prosecute the same to completion shall forfeit as a penalty therefor the sum of five dollars for each days delay in commencing such repairs after the expiration of said three days notice as aforesaid, and the sum of five dollars for each day's interruption of said work after the commencing thereof. Such penalty shall be recovered for the use of said City of Eureka by prosecution in the name of the People of the State of California, in the court having jurisdiction thereof.

SEC. 3. All penalties recovered under this ordinance shall be paid into the treasury of the City of Eureka to the use of said City, and may be applied, if deemed expedient by the Council of the City of Eureka, in the payment of the expenses of any such repairs not otherwise provided for.

SEC. 4. Ordinance No. 280 is hereby repealed.

SEC. 5. This Ordinance shall be in force and effect from and after its approval by the Mayor, and shall be published in four issues of the Daily Humboldt Times.

GROUP IX.

Street and Alley Ordinances.

Ordinances

Relative to

Streets and Alleys.

(List of Ordinances Relating to Streets and Alleys.)

Title Nos. Reference to Titles.

88—Accepting Dedicated Streets and Alleys.

134—Declaring Summer street a public street; fixing its grade and courses.

145—Accepting Dedicated streets and alleys.

156—Fixing the width and courses of Myrtle avenue.

157—Fixing the width and courses of Broadway.

162—Regulating the laying of water or gas pipes in the streets.

188—Accepting dedicated streets and alleys.

202—Accepting Pine street, between Brennan and Harris streets.

207—Prohibiting obstruction of streets by trees.

214—Establishment of street grades.

215—Prohibiting playing ball on the streets.

249—Vacating alley in block 62, Clark's Addition; accepting alley in lieu.

253—Requiring property owner to keep clean street in front of property.

257—Vacating alley in block No. 1, Raymond Bishop Addition.

293—Relating to alley in block 12 of the Prairie Addition.

298—Relating to streets and alleys in the "Sunny Slope Tract."

309—Accepting alley between 16th, 17th and "H" and "I" streets.

320—Prohibiting obstruction of streets and alleys by signs, awnings, etc.

321—Closing 14th street between Blocks 2 and 3 of Bishop Tract.

327—Regulating right of way over streets; prohibiting obstruction of cars.

329—Regulating poles and wires in and over streets.

334—Changing name of Park street to Harris street.

378—Declaring intention to open Buhne street between California and Union.

392—Excepting certain streets from franchise granted by Ordinance 305.

393—Relating to width of sidewalks on Whipple street.

394—Relative to improvement work on "D" street.

Street and Alley Ordinances.

ORDINANCE NO. 88.

ACCEPTING STREETS.

(Approved April 7, 1885.)

The Common Council of the City of Eureka do ordain as follows:

SECTION 1. All streets and alleys within the corporate limits of the City of Eureka, which have been dedicated by the owners thereof for the use of the public are hereby accepted and declared to be public streets of the City of Eureka.

ORDINANCE NO. 134.

(Approved May 6th, 1890.)

An Ordinance declaring Summer street from "A" to Washington street to be a public street and fixing the grade thereof.

(See page 6 of Book "B" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 145.

ACCEPTING STREETS AND ALLEYS.

(Approved January 5th, 1892.)

The Common Council of the City of Eureka do ordain as follows:

SECTION 1. All streets and alleys within the corporate limits of the City of Eureka which have been dedicated by the owners thereof for the use of the public are hereby accepted and declared to be public streets of the City of Eureka.

SEC. 2. This Ordinance shall take effect upon its approval.

ORDINANCE NO. 156.

FIXING THE WIDTH OF MYRTLE AVENUE AND THE COURSES THEREOF.

(Approved Sept. 6, 1892.)

The Mayor and Common Council of the City of Eureka do ordain as follows:

SECTION 1. Myrtle Avenue, hereinafter described, is hereby declared to be a public highway, sixty feet in width, of which the following is a description of the center line as located by the City Engineer, to-wit: Beginning at a point obtained by running from the intersection of the center line of Fifth street with the center line of Myrtle Avenue, said point of intersection being distant two hun-

dred and eight (208) feet from the east line of "P" street, south 58 degrees 18 minutes east, along the center of Myrtle avenue six hundred (600) feet (the angle deflected to right from the center line of Fifth street, being 42 degrees 29 minutes) thence by curve to right whose radius is six hundred seventy-four and 68-100 (674.68) feet, two hundred (200) feet to Station O; i. e., the place of beginning and running thence by tangent to the above mentioned curve 41 degrees 18 minutes east, five hundred and thirty (530) feet. Thence by curve to left whose radius is sixteen hundred eighty-five and 42-100 (1685.42) feet, two hundred ninety-five (295) feet to Station 8x25. Thence by tangent south 51 degrees 20 minutes east ten hundred twenty-five (1025) feet to Station 18x50. Thence by curve to left whose radius is thirteen hundred eighty-six and 49-100 (1386.49) six hundred ten (610) feet to Station 24x60. Thence by tangent south 76 degrees 32 minutes east five hundred forty (540) feet to Station 30. Thence by curve to right whose radius is thirty-four hundred thirty-seven and 87-100 (3437.87) feet, eight hundred (800) feet to Station 38. Thence by tagent south 63 degrees 12 minutes east two hundred sixty-five feet, more or less to the city limits, i. e., the Section line between Sections twenty-three and twenty-four, Township five north, Range one west, Humboldt Meridian. All distances on curves are measured by the chords of one hundred feet.

SEC. 2. This Ordinance shall take effect immediately.

ORDINANCE NO. 157.

(Approved Sept. 6th, 1892.)

Fixing the width of Broadway street and the courses thereof.
(See page 72 of Book "B" of Ordinances, City Clerk's Records.)

ORDINANCE NO. 162.

RELATING TO THE USE OF STREETS, ALLEYS, WALKS, CROSSINGS, PUBLIC SQUARES OR PLACES IN THE CITY OF EUREKA, BY COMPANIES, CORPORATIONS AND PERSONS INTRODUCING WATER OR SUPPLYING WATER OR GAS TO THE CITY OF EUREKA OR ITS INHABITANTS.

(Approved June 7th, 1893.)

The Common Council of the City of Eureka do ordain as follows:

SECTION 1. All persons, companies or corporations now using, or hereafter attempting to use any of the streets, alleys, sidewalks, crossings or public squares or places in the City of Eureka, for the purpose of maintaining, laying down, removing or replacing any pipe, main or conduit, or any connection therewith used, or to be used, in distributing through, or supplying to the city or its inhabitants, water or gas, shall, before removing any of the earth, stone, paving plank or other material or such street, alley, walk, crossing, public square or place, notify the Superintendent of Streets, in writing, of their desire so to do, and

designate particularly the locality where it is desired to do such work.

SEC. 2. All persons, companies or corporations now using or hereafter attempting to use any of the streets, alleys, sidewalks, crossings, or public squares or places in the City of Eureka, for the purposes hereinbefore specified, when notified, in writing, by the Common Council of the City of Eureka, of its intention to pave, macadamize, gravel or otherwise improve any street, alley, sidewalk, crossing, or public square or place, shall within thirty days after the service upon them of such written notice enter upon such street as specified in such notice, and permanently lay all mains, pipes and conduits for the supplying of water, gas, etc., on and along said streets, alleys, sidewalks, crossings, public squares or places.

SEC. 3. All persons, companies or corporations now using or herafter attempting to use any of the streets, alleys, sidewalks, crossings or public squares or places in the City of Eureka, for any of the purposes hereinbefore specified, who shall desire to enter upon any street, alley, sidewalk, crossing or public square or place of the City of Eureka, which is paved, macademized, or graveled, for the purpose of maintaining, laying down, removing or repairing, any pipe, main, or conduit or any connection therewith used, or to be used, in distributing through or supplying water or gas to the city or its inhabitants, shall make written application to the Superintendent of Streets, who shall upon the granting of such request, open and repair said street, alley, sidewalk, crossing or public square or place as required, and all expenses connected with the opening and repair shall be a charge against the company asking same.

SEC. 4. All persons, companies or corporations who shall desire to open any street, alley, sidewalk, crossing or public square or place within the City of Eureka not specified in Section 3 of this Ordinance, shall make application to the Superintendent of Streets as aforesaid, and upon permission being granted, may open and repair such street, under the supervision of the Superintendent of Streets as hereinafter provided.

SEC. 5. Whenever it is necessary to leave an excavation or opening in any street, walk, crossing or place unfilled or uncovered over night, the person, company, or corporation, using or causing the same shall place lights and obstructions about the same in such manner as to effectually prevent injury to persons, vehicles and teams. Such lights and obstructions shall extend in every instance at least as high as three feet above the ordinary surface of the street. If such excavation crosses any foot crossing on any street, at least one light shall be maintained at such crossing, and as near as practicable to the excavation. And if the excavation be of the length of one block on any street, alley or way, at least four lights shall be maintained along such excavation. And all lights herein provided for shall be maintained by such person, company, or corporation during the entire night, every night that such opening or excavation is maintained or remains uncovered.

SEC. 6. Whenever any earth, stone, planking or other material is removed or dug up for the purposes aforesaid, the same shall be replaced as speedily as practicable in every instance, so as to make the walk, crossing or place in as good condition and repair as the same was before such removal, and the surface of the walk, crossing or place shall be made smooth and uniform with the surrounding surface, and all material which becomes broken, injured or destroyed in making such removals or excavations shall be replaced with other new material of the same quality as that originally used. Excavations in the streets shall not be filled up with loose material, leaving loose ridges or embankments above the ordinary surrounding surface, but in replacing material, the same shall be tamped and pounded down so as to be firm and compact as nearly as may be like the same space was before such re-

moval or excavation was made. And in replacing material in excavations made in streets the classes of said material shall be replaced in the same order that they were before the excavation.

SEC. 7. Any person violating the provisions of this Ordinance relative to giving notice to the Superintendent of Streets, prior to removing any earth, gravel, etc., as in the first Section mentioned, or failing or neglecting to maintain lights and barriers about any excavation made or caused by them, as in this Ordinance required, shall upon complaint of the said Superintendent of Streets, or of any person aggreived, upon conviction thereof before the Police Judge, be fined not exceeding one hundred dollars, with imprisonment upon default in paying such fine.

SEC. 8. Whenever any street, crossing, walk or place shall remain or be improperly replaced, or refilled, or remains or becomes injured or defective by reason of having been dug up, opened or disturbed by any person, company or corporation, in the manner or for the purpose aforesaid, it shall be the duty of the Superintendent of Streets to notify such person, company or corporation to replace, repair, or refill the same as the case may be, and to put the same in the proper condition as in this ordinance required, and as may be directed by said Superintendent, and upon failure of the person so liable, to immediately commence and diligently prosecute the work or repair so required, the Superintendent shall cause the same to be done in a proper manner, and collect the cost thereof from the person so liable. And upon failure to pay such expense upon presentation of the bill therefor, the Superintendent is hereby authorized to begin suit in a Court of competent jurisdiction in the name of the city against such person, company or corporation for the amount of such bill, and may proceed by attachment to enforce the collection thereof.

SEC. 9. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SEC. 10. This Ordinance shall take effect thirty days after its approval.

ORDINANCE NO. 188.

ACCEPTING STREETS AND ALLEYS.

(Approved May 7th, 1895.)

The Common Council of the City of Eureka do ordain as follows:

SECTION 1. All streets and alleys within the corporate limits of the City of Eureka which have been dedicated as such by any person authorized or empowered to make such dedication, or by the owners thereof, for the use of the public, are hereby accepted and declared to be public streets and alleys of the City of Eureka.

SEC. 2. This ordinance shall take effect immediately.

ORDINANCE NO. 202.

(Approved January 20th, 1896.)

Accepting Pine Street Between Brennan and Harris Streets. (See page 206 of Book "B" of Ordinances) (City Clerk's Records.)

ORDINANCE NO. 207.

TO PREVENT THE OBSTRUCTION OF STREETS BY TREES.

(Approved May 4th, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. All trees whose boughs extend over any portion of any of the streets of the City of Eureka shall be so trimmed that there shall be a space of at least ten feet between the lowest limb thereof and the street.

SEC. 2. It shall be the duty of the owner or persons in charge of the land upon or in front of which any tree grows with boughs so extending over the street to keep the same trimmed as prescribed in the preceding section. If such person neglects, after five days' notice by the Superintendent of Streets, to trim such trees, as required by this Ordinance,, he shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding fifty dollars, or imprisonment not exceeding ten days, or both such fine and imprisonment.

SEC. 3. Ordinance No. 62 is hereby repealed.

ORDINANCE NO. 214

RELATIVE TO STREET GRADES AND CITY MAP

(Approved May 25th, 1896.)

Be it ordained by the Council of the City of Eureka, as follows:

SECTION 1. The grades of the various streets of the City of Eureka are hereby fixed and established as shown in the following tabular statement and plat of the streets of the said city, to-wit:

	Broadway	Fairfield street	Spring street	Albee street	Union street	Summer street	Pine street	California street	"A" street	"B" street	"C" street
First street											10½
Second street									10	10½	11
Third street									10½	11	12
Fourth street									11	12	13
Fifth street									14	19	18
Sixth street								14	19	25	22
Seventh street							15	16½	24	29	30
Eighth street									26½	34	37
Ninth street											
Tenth street											
Eleventh street											
Twelfth street											
Thirteenth street											
Fourteenth street											
Fifteenth street											
Sixteenth street											
Seventeenth street											
Washington street	11½					12	13½	15	26	37	41
Grant street	13					14	15	16	25	39	45
Clark street	15					18	19	21	27	41	49
Simpson street						25	24	26	34	46	55
Cedar street	12½			14	22	30	29	33	41	53	61
Whipple street	11			12	19	29	33	37	48	60	67
Porter street											
Brett street											
Watson street											
Randall street											
Pacific avenue	14			23	22	25	30	38½	56	66	73
Wabash avenue	16½		30	36	32	35	44	50	54	68	76
Del Norte street											
Sonoma street											
Humboldt street											
Murray street	18	28	35	42	36	41	50	58	62	65	74
Pratt street	17	38	37	45	42	49	55	65	70	73	76
Hawthorne street	16	44	38½	46	51	59	63	70	76	81	84
Trinity street	14	51	43	48	53			78	84	90	94
Huntoon street								84	88	94	98
Buhne street		60	56	64	76			89	92½	98	103
Long street								94	98	102	109
Carson street			71	79	90						
Dollison street								101	106	109	114
Creighton street			76	88	93						
Hayes street											
Henderson street								109	112	115	117
Fernald street			81	93½	96						
Russ street			86	95	99						
Grotto street								112	114	117	119
Vance street			89	96½	102						
Harris and Park sts			91	98	107	113	115	114	108	105	113

	William street	"D" street	"E" street	"F" street	"G" street	"H" street	"I" street	"J" street	"K" street	"L" street	"M" street	"N" street
First street	.....	11½	14	17	17½	16½	.....	12	.....	.....	.....	.....
Second street	.....	12	16	20	27½	32	33	32	30	20	34	.....
Third street	.....	13	16	22	30	35½	37	38	36	27	36½	42
Fourth street	.....	14	17	23	32½	39	42	44	42	34	40	44½
Fifth street	.....	21	23½	25	35	44½	48	50	48	44½	43½	47
Sixth street	.....	24	32	33½	40	50	54	56	54	50	48	53
Seventh street	.....	29	39	42	46	55	60	61	60	57	58	57
Eighth street	.....	35	45	50½	56	60	64½	66	65	63	61	59
Ninth street	.....	36½	51	59	66	67	69	71	69	67	65	63
Tenth street	.....	.....	.....	65	71	72	73½	75	73	71	69	67
Eleventh street	.....	.....	59	70	76	77	78	79	77	75	73	71
Twelfth street	.....	.....	58½	72	81	83	84	83	81	79	77	75
Thirteenth street	.....	.....	65	73½	85	89	88	87	85	83	81	79
Fourteenth street	.....	.....	.....	.....	88	94	93	91	.....	.....	.....	.....
Fifteenth street	.....	.....	.....	.....	91	99	97	95	.....	.....	.....	.....
Sixteenth street	.....	.....	.....	.....	94	102½	101	99	.....	.....	.....	.....
Seventeenth street	.....	.....	.....	.....	98	106	107	104	.....	.....	.....	.....
Washington street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Grant street	.....	46½	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Clark street	.....	54	58	.....	.....	.....	.....	.....	.....	.....	.....	.....
Simpson street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Cedar street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Whipple street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Porter street	69	74	79	76	.....	.....	.....	.....	.....	.....	.....	.....
Brett street	75½	80	87	80	.....	.....	.....	.....	.....	.....	.....	.....
Watson street	82	86	95	90	.....	.....	.....	.....	.....	.....	.....	.....
Randall street	88½	95	104	102	.....	.....	.....	.....	.....	.....	.....	.....
Pacific avenue	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wabash avenue	90½	101	110	109	103	110	113	112	.....	.....	.....	.....
Del Norte street	98	111	118	116½	112	114	117	118	.....	.....	.....	.....
Sonoma street	106	117	122	123	118	120	123	124	.....	.....	.....	.....
Humboldt street	114	121	125	127	124½	126	128	129	.....	.....	.....	.....
Murray street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Pratt street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Hawthorne street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Trinity street	113	125	127	129	131	132½	133½	134	130	124	.....	120
Huntoon street	111	127	129	132½	134	135½	136½	137	135	129	120	128
Buhne street	109	126	132	136	137½	138½	139½	140	138	136	132	135
Long street	112	121	130	137	139	141	142½	143	145	142	139	140
Carson street	.....	.....	.....	135	141	142	144½	146	148	147	145	146
Dollison street	121	125	128	133	.....	.....	.....	.....	.....	.....	.....	.....
Creighton street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Hayes street	.....	.....	.....	134	140	143	145	147	150	151	149½	148
Henderson street	126	129	132	136	141	144	146	147½	150½	152	153	151
Fernald street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Russ street	.....	.....	.....	138	142	145	147	148	151	153	155	153
Grotto street	129	131	134	139	.....	.....	.....	.....	.....	.....	.....	.....
Wood street	.....	.....	.....	140	143	144	147½	148½	150½	152½	153	151
Harris and Park sts	126½	132	136	139	141½	143	146	148	150	152	151½	148

	"O" street	"P" street	"Q" street	"R" street	"S" street	"T" street	"U" street	"V" street	"W" street	"X" street	"Y" street	"Z" street
First street	.....	.....	.....	.....	14½	14½	14½	14½	14½	14½	.....	.....
Second street	.....	31	29	27	25	23	21	19	17	15	13	11
Third street	40	37	34	31	28	26	21	22	20	17½	15	.....
Fourth street	46	43	40	36	32½	29	27	25	22	15	.....	.....
Fifth street	49	47	45	41	37	32	28	20	.....	.....	.....	.....
Sixth street	52	49	.....	.....	42	34	22	15	.....	.....	.....	.....
Seventh street	55	51	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Eighth street	58	35	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Ninth street	61	51	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Tenth street	60	35	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Eleventh street	66	53	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Twelfth street	68	35	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Thirteenth street	72	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fourteenth street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Fifteenth street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Sixteenth street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Seventeenth street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Washington street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Grant street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Clark street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Simpson street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Cedar street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Whipple street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Porter street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Brett street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Watson street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Randall street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Pacific avenue	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wabash avenue	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Del Norte street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Sonoma street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Humboldt street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Murray street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Pratt street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Hawthorne street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Trinity street	126	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Huntoon street	131	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Buhne street	137	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Long street	141½	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Carson street	145	143	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Dollison street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Creighton street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Hayes street	147	148½	146	145½	143	.....	.....	.....	.....	.....	.....	.....
Henderson street	149	150	149	147½	146	.....	.....	.....	.....	.....	.....	.....
Fernald street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Russ street	150	148½	151	150	149	.....	.....	.....	.....	.....	.....	.....
Grotto street	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wood street	147½	146	150	151	152	.....	.....	.....	.....	.....	.....	.....
Harris and Park sts.	142	.....	147	152	155	.....	.....	.....	.....	.....	.....	.....

That is to say: The numbers of the several intersections of the streets on said statement and plat represent the heights in feet of said several intersections above the base or plane of reference established and used by the United States Coast Survey, which base and plane of reference is the average lower low tides of Hum

boldt Bay. (As amended by Ordinance No. 400) (Ords. No. 268 and 342 repealed by Ord. No. 400.)

SEC. 2. The map made by J. N. Lentell under the direction of the Common Council, a copy of which was filed in the office of the Clerk of the City of Eureka, California, on the 7th day of May, 1894, is hereby accepted and adopted as the official map of said city.

SEC. 3. Ordinance No. 159 and Ordinance No. 172 are hereby repealed.

ORDINANCE NO. 215.

TO PREVENT PLAYING BALL ON THE STREETS.

(Approved May 25, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. Every person who shall play ball or engage in throwing, pitching, catching ball on any street or alley within the city limits, after being requested by any police officer to forbear or discontinue the same, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not exceeding twenty dollars, or imprisonment not exceeding five days, or both such fine and imprisonment.

SEC. 2. Ordinance No. 60 is hereby repealed.

ORDINANCE NO. 249.

(Approved April 10th, 1900.)

Vacating certain Alleys in Block 62, Enlargment of Clark's Addition to the City of Eureka; Authorizing the Mayor and Clerk of the City of Eureka to Convey the Alley so Vacated to the Humboldt Bay Woolen Mill Company, and Accepting Certain Alleys as per Deeds of Julia Ryan and William S. Clark to the City of Eureka. (See page 336 of Book "B" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 253.

FOR THE PROTECTION OF STREETS, SIDEWALKS AND THOROUGHFARES.

(Approved Sept. 4th, 1900.)

SECTION 1. It shall be the duty of every person owning or occupying any lot or block of land in the City of Eureka which shall be bounded on any side thereof by any legally established and graded sidewalk, street, lane, or alley, or other public thoroughfare, to keep such street, sidewalk, lane, or alley free from rubbish, filth, garbage, and obstructions of every kind, as far as the middle of such street or alley, and as far in length as the corresponding dimensions of such lot or block.

SEC. 2. Any such owner or occupant who shall place, or cause to be placed, or suffer or permit to be placed, or permit to accumulate on any street, sidewalk,

lane or alley, so adjoining his premises, any rubbish, filth garbage, or obstructions of any kind or description, shall be deemed guilty of maintaining a public nuisance.

SEC. 3. This ordinance shall not be constructed so as to prevent any person from using one-half of the street adjoining his premises for a reasonable time, when such use may be necessary for the purpose of collecting and using materials for erecting or repairing buildings, nor to prevent any person from depositing goods, wares, and merchandise upon any sidewalk, lane or alley in said city for the purpose of immediately conveying them across the same, nor to prevent tying saddle horses or mules, and horses or mules attached to vehicles at convenient places along the street, for a reasonable and proper time; nor to prevent physicians from placing their horse or horses and vehicles at all times in front of their respective offices, provided that no goods, wares or merchandise shall remain on any sidewalk longer than is necessary for the purpose of conveying them across the same, and after they have been so conveyed they must not be replaced thereon, except for the purpose of prompt delivery thereof.

SEC. 4. Any person who will throw, deposit, or place any rubbish, filth, garbage or obstruction of any kind, except as hereinabove provided, in or upon any public street, lane, sidewalk, park, alley, or public thoroughfare, shall be deemed guilty of committing a public nuisance.

SEC. 5. Any owner of any lot or block of land in said City of Eureka, who shall permit any sidewalk adjacent to such lot or block to get out of repair, so as to render the same unsafe or inconvenient to walk upon, or who shall leave such sidewalk by day or night dangerous, unsafe or inconvenient shall be deemed guilty of maintaining a public nuisance.

SEC. 6. Any person who shall lead, ride or drive, or cause to be led, ridden, or driven across, on, or along any sidewalk in the City of Eureka, except for the purpose of crossing the same to and from the place where such animals may be kept, any cow, ox, horse, mare, mule, jack or jenny, whether attached to vehicles or not, shall be deemed guilty of committing a public nuisance.

SEC. 7. Any person may have the use of any public street, sidewalk, or alley for any proper and lawful purpose for a reasonable time, on obtaining permission therefor from the Mayor of the City.

SEC. 8. Any person who shall commit or maintain a public nuisance, as the same are defined in this ordinance, within the City of Eureka, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine not less than five nor more than one hundred dollars, or imprisonment not exceeding ten days, or by both such fine and imprisonment.

SEC. 9. Ordinance No. 26 of the City of Eureka is hereby repealed.

ORDINANCE NO. 257.

(Approved Dec. 5th, 1900.)

Ordinance Vacating Alley in Block One of Raymond Bishop Addition to the City of Eureka. (See page 354 of Book "B" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 293.

(Approved April 22nd, 1902.)

An Ordinance Relating to the Alley in Block 12 of the Prairie Addition to the

City of Eureka; Providing that the Alley Running East and West Through said Block 12 be Vacated and Closed, and that a Deed Conveying a Strip of Land 20 Feet Wide Through said Block, Running North and South, for an Alley be Accepted. (See page 19 of Book "C" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 298.

AN ORDINANCE RELATING TO THE STREETS AND ALLEYS IN THE "SUNNY SLOPE TRACT" IN THE CITY OF EUREKA.

Whereas, Carrie A. Howard and C. M. L. Howard, owners of "Sunny Slope Tract" in the City of Eureka have petitioned the Council of said City to move the East line of Summer Street in said tract, as platted, 30 feet to the west, closing the same as a street, and leaving a 20 foot alley instead thereof. And, also, here asked to move the West line of the Alley in block 2 as platted, 30 feet west, thereby making a 50 foot street instead of said Alley. And the prayer of said petition is granted. (Approved June 24th, 1902.)

Now, therefore, be it ordained by the Council of the City of Eureka as follows:

SECTION 1. That said Alley and Street are changed and established as follows: Beginning at a point on the south line of street and west side of alley, said point being 420 feet west of the initial point used in the survey of the Sunny Slope Tract, as shown on map of said tract made by W. B. Rigby; thence south along the west line of said alley 668 feet to the south line of said tract; thence west 30 feet. Thence north parallel to said alley 668 feet to the south line of street; thence east along the south line of said street 30 feet to the place of beginning. The above described land, together with the 20 foot alley on the east is to be used as a street and which is hereafter to be known as Summer Street.

All that portion of what is marked on the official plat as Summer street through the Sunny Slope Tract, between blocks Nos. 2 and 3 thereof, with the exception of 20 feet on the west side thereof, which is to be left as an alley, is to be vacated, closed and abandoned as a street, and to revert to the owners. And to become a part of lots 21 to 42 inclusive of block No. 2 as shown on the map of W. B. Rigby, of said Sunny Slope Tract.

SEC. 2. This ordinance shall take effect upon its approval by the Mayor and shall be published in one issue of the Humboldt Daily Times.

ORDINANCE NO. 309.

(Approved April 9th, 1903.)

An Ordinance Accepting an Alley Between Sixteenth and Seventeenth Streets and "H" and "I" Streets in the City of Eureka. (See page 57 of Book "C" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 320.

AN ORDINANCE TO PREVENT THE OBSTRUCTION OF STREETS AND ALLEYS BY SIGNS, ADVERTISEMENTS, AWNINGS AND BALCONIES.

(Approved Nov. 5, 1903.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. No person owning or occuppying any building or premises fronting upon a public street or alley shall place or cause to be placed, construct or cause to be constructed, maintain or permit to be maintained in front of or along the end or side of such building or premises bordering upon a public street or alley, any sign, sign-board, awning, shade or balcony which shall be supported by posts resting upon or in the streets, alley or sidewalk, or which shall extend beyond the outer edge of the sidewalk. All signs, sign-boards and other advertising devices, except electrically illuminated signs and devices, must be fastened lengthways upon said building in such manner as not to extend into, over or across any public street or alley. Electrically illuminated signs and devices shall be securely fastened to the walls of such building or premises not less than ten feet above the sidewalk and shall be so constructed that they may be swung parallel with the line of such building or premises when not illuminated. Electrically illuminated signs and devices shall not extend into, over or across any public street or alley between the hours of sunrise and sunset of each day.

SEC. 2. No person owning or occupying any building or premises fronting upon a public street or alley shall construct or cause to be constructed, maintain or permit to be maintained, any awning, shade, or balcony in front of or along the side of any such building or premises bordering upon a public street or alley, except in accordance with the following provisions:

First: The lowest part must be at least ten feet above the sidewalk or grade.

Second: It must be securely supported without posts, and must not extend beyond the outer line of the sidewalk in a street, or eight feet in an alley.

Third: When it does not extend to the outer line of the sidewalk, if in a street, it must have attached to it a gutter and a spout to conduct the water to the building and thence to the outer line of the sidewalk. If in an alley, such gutter and spout must be attached. Subdivisions one and three of this Section shall not apply to sun awnings or shades made of cloth or canvas; but the lowest part of such awnings or shades must be at least seven feet above the sidewalk or grade.

SEC. 3. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars or by imprisonment not exceeding ten days, or by both such fine and imprisonment.

SEC. 4. Ordinance number 217 is hereby repealed.

SEC. 5. This Ordinance shall be in force from and after its approval by the Mayor.

.. ORDINANCE NO. 321.

(Approved Nov. 25th, 1903.)

An Ordinace Closing 14th Street, Between Blocks 2 and 3 of the Bishop Tract, and Taking Other Lands in Lieu Thereof.—Closing that Portion of Fourteenth

Street Running from West Avenue to East Avenue. (See page 87 of Book "C" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 327.

AN ORDINANCE TO REGULATE THE RIGHT OF WAY OVER AND UPON THE PUBLIC STREETS, AND TO PROHIBIT THE OBSTRUCION OF SREET RAILROAD CARS, IN THE CITY OF EUREKA.

(Approved Jan. 6th, 1904.)

Be it ordained by the Council of the City of Eureka, as follows:

SECTION 1. When vehicles are about to meet on any of the streets in the City of Eureka, the drivers of such must turn to the right of the center of the street, except on streets where street railroads are maintained; on such streets the driver of any vehicle must, when about to meet any other vehicle or any street car, turn his team and vehicle not only to the right of the center of the street, but also to the right of the outer rail of the railway on the street.

SEC. 2. No person shall obstruct the track of any legally authorized street railroad, or hinder, impede or delay any street railroad passenger car.

SEC. 3. Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than ten dollars or more than twenty-five dollars, or by imprisonment in the County Jail of the County of Humboldt not exceeding ten days, or by both such fine and imprisonment.

SEC. 4. This Ordinance shall be in force from and after its approval by the Mayor.

ORDINANCE NO. 329.

AN ORDINANCE REGULATING TELEPHONE, TELEGRAPH AND ELECTRIC LIGHT POLES AND WIRES IN THE CITY OF EUREKA.

(Approved February 24th, 1904.)

Be it ordained by the Council of the City of Eureka, as follows:

SECTION 1. It shall be unlawful for any person, firm, company, association or corporation to erect or maintain in or upon any of the streets, avenues, alleys, or other public places or grounds of the City of Eureka, any poles or other means of support from and over which any wires are strung and extended for the purpose of communication or for the transmission of electricity for lighting or power purposes, other than for the propulsion of electric cars, without first having obtained permission and authority from the City Council so to do, in the manner provided by and in accordance with the provisions of this ordinance.

SEC. 2. Any person, firm, company, association or corporation applying to the City Council for permission to erect or maintain poles as provided by section one of this ordinance, shall file with the Clerk of said City, a plat on which shall be designated the streets, avenues, alleys or other public places or grounds in said City in, under, and upon which it is desired to erect and maintain such poles and

wires. Such plat shall show the proposed line or lines of wires and shall specify the exact locality thereon where each and all of said poles are proposed to be placed or maintained. The Council, after making such changes and amendments to such plat as it decides are necessary for the public welfare and convenience, shall approve the same, and such plat as amended shall remain on file in the office of the City Clerk and shall be the property of the City.

SEC. 3. All poles and wires must be erected and maintained as designated on said plat as finally approved by said Council. All poles shall be placed inside of and against the curb of the sidewalk. They shall be maintained perpendicular and shall be kept painted and free from signs, posters and all advertising matter, excepting that the words "Post No Bills" may be placed on said poles.

SEC. 4. The height of all wires in that portion of the City of Eureka, bounded on the west by "'A" street, on the south by Fifth street, on the east by "J" street, and on the north by the waterfront, shall not be less than twenty-five (25) feet high above the sidewalk grade; and in all other parts of the City they must be at least twenty (20) feet above the sidewalk grade. Provided, however, that all present pole lines and wires thereon shall be allowed to stand at present height until it becomes necessary to erect new poles, but when new poles are erected the same shall conform in height to the above rquirements. All poles for the purpose of supporting any electric light or lamp for city lighting purposes in this City, shall extend above the sidewalk grade at least forty (40) feet. (As Amended: Ordinance No. 391.)

SEC. 5. All poles set or erected under the provisions of this ordinance shall be set or erected in such manner as to meet the approval of the Superintendent of Streets, and it is hereby made the duty of such officer to see that all the provisions of this ordinance are strictly complied with and enforced.

SEC. 6. Whenever poles or wires or both, erected or maintained under the authority of this ordinance, are obstructions to the moving of any building along any street, avenues, alleys or other public places or grounds, the person, firm, company, association or corporation owning or managing such poles or wires or both shall remove or alter or change the said poles or wires or both, so as to offer no obstruction to the prompt moving of said building; provided, that the person or persons moving such building shall serve notice upon such owner or manager of such poles or wires at least twenty-four (24) hours before the moving of such building, and shall accompany such notice with a copy of a permit from the Mayor of the City of Eureka permitting such moving of such building and designating the route. Such notice shall be in writing and shall specify the poles or wires or both which will obstruct the moving of such building. Such removal, alteration or change of the said poles or wires or both shall be at the cost of the person, firm, company, association or corporation owning or managing such poles or wires or both.

SEC. 7. It shall be the duty of any person, firm, company, association or corporation exercising the privileges granted by this ordinance, to repair any damage done or caused in erecting its poles or laying its wires and to restore all sidewalks, gutters, streets and pavements displaced or injured in the erection, alteration, removal or maintenance of its poles or wires, without expense to the said City.

SEC. 8. The City of Eureka shall at all times have the right and privilege to place upon said poles all necessary wires for the fire alarm system of said City.

SEC. 9. Any person, firm, company, association or corporation violating any of the provisions of this ordinance or failing to comply with any provision thereof shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, or

by imprisonment not less than ten days nor more than fifty days, or by both such fine and imprisonment.

SEC. 10. Each days violation of the provisions of this ordinance shall be deemed a separate and distinct offense and shall be punished as provided by Section nine of this ordinance.

SEC. 11. Ordinances number two hundred and fifty, two hundred and sixty, two hundred and eighty-five, and two hundred and eighty-six are hereby repealed.

SEC. 12. This ordinance shall take effect from and after its approval by the Mayor.

ORDINANCE NO. 334.

AN ORDINANCE CHANGING THE NAME OF PARK STREET TO HARRIS STREET.

(Approved March 9th, 1904.)

Be it ordained by the Council of the City of Eureka, as follows:

SECTION 1. The name of Park Street is hereby changed to Harris Street.

SEC. 2. This ordinance shall be in full force from and after its approval by the Mayor.

ORDINANCE NO. 378.

(Approved February 10th, 1905.)

An Ordinance Declaring the Intention of the Council of the City of Eureka to Open Buhne Street between California and Union Streets, Describing the Lands Necessary to be Taken Therefor and Specifying the Boundaries of the District to be Benefitted by Such Improvements. (See page 276 of Book "C" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 392.

AN ORDINANCE REGULATING THE USE OF CERTAIN STREETS OF THE CITY OF EUREKA FOR THE WELFARE AND BENEFIT OF ITS CITIZENS.

(Approved June 10, 1905.)

Whereas, on the 25th day of February, 1903, by Ordiance No. 305, there was granted to George Henderson by the City of Eureka a franchise granting to said Henderson the privilege of constructing and operating a street railroad in the City of Eureka on certain streets therein described; the said franchise being subject to the terms, conditions and limitations imposed by said Ordinance No. 305, and that said Henderson, on the 14th day of August, 1903, fully transferred said franchise to the Humboldt Transit Company, who is the owner thereof; and

Whereas, said Ordinance, among other things, required of said Henderson that he build equip and operate within three years a line of railroad upon a cross-

town connection between California street and "J" street via Wabash avenue, "H" street and Sixteenth street to "J" street; and

Whereas, it now appears that the best interests and welfare of the City of Eureka and the citizens thereof would be subserved by the said City excepting from the franchise so granted by it to said George Henderson those certain streets known and designated in said franchise as Wabash avenue, "H" street and Sixteenth street; and

Whereas, the Council of the City of Eureka did, on the 16th day of May, 1905, when duly assembled, pass and adopt a resolution, duly spread on the minutes of said Council, declaring it for the best interests and welfare of said City and the citizens thereof that said city except out of said franchise embodied in said Ordinance No. 305, the cross-town connection between California street and "J" street via Wabash avenue, "H" street and Sixteenth street to "J" street, and directing the City Clerk to serve a copy of said resolution upon Humboldt Transit Company, the present owner of said franchise; and

Whereas, the said Humboldt Transit Company, in response to the said resolution so passed and adopted by the said Council as aforesaid, did on the 17th day of May, 1905, through its Board of Directors, duly assembled, duly abandon said cross-town connection and the streets covered by the same and duly served on the Council a copy of such abandonment.

Wherefore, be it ordained by the Council of the City of Eureka, as follows:

SECTION 1. That there is hereby excepted from that certain franchise granted to George Henderson by the City of Eureka on the 25th day of February, 1903, by Ordinance No. 305, those certain streets described in said franchise as follows, to-wit: Wabash avenue, "H" street and Sixteenth street to "J" street; and said streets are hereby declared free and clear of any conditions, limitations or terms of said franchise and are reserved to the City of Eureka free and clear of any street railway line as provided for in said franchise and from henceforth are declared to be public streets for the use and benefit of the citizens of the City of Eureka.

SEC. 2. That the franchise granted to George Henderson by the City of Eureka on the 25th day of February, 1903, by Ordinance No. 305, and by the said Henderson transferred to the Humboldt Transit Company on the 14th day of August, 1903, is a valid, existing franchise, vesting in said Humboldt Transit Company all of the rights granted to said Henderson under and by virtue of the terms of said franchise, excepting thereout the right and privilege to use Wabash avenue, "H" street and Sixteenth street to "J" street for the purpose of constructing and operating thereon a street railroad, that said George Henderson and his successor in interest, said Humboldt Transit Company, have fully complied in all other respects with all conditions that would work a forfeiture of the whole of said franchise under Section VI. of said Ordinasce No. 305; that the said City of Eureka claims no forfeiture, and hereby waives the same, if any there be, by reason of the provisions of said Section VI. of said Ordinance No. 305, excepting as to the portion of said street railroad herein not built upon within the three years as provided in said ordinance.

SEC. 3. This ordinance shall take effect immediately.

ORDINANCE NO. 393.

AN ORDINANCE FIXING AND DECLARING THE WIDTH OF SIDEWALKS UPON WHIPPLE STREET BETWEEN THE WEST LINE OF BROADWAY STREET AND THE WEST END OF WHIPPLE STREET.

(Approved July 19th, 1905.)

Be it ordained by the Council of the City of Eureka, as follows:

SECTION 1. All sidewalks upon Whipple street of the City of Eureka between the west line of Broadway street and the west end of Whipple street shall be of a width of eight feet.

SEC. 2. This ordinance shall be in full force and effect from and after its approval by the Mayor.

ORDINANCE NO. 394.

(Approved Sept. 6th, 1905.)

An Ordinance ordering certain work to be done on that portion of "D" street of the City of Eureka from the south line of Porter street to the north line of Long street, including all intersections, adopting the plans and specifications therefor, and directing the clerk to post and publish a notice of said work. (See page 332 of Book "C" of Ordinances.) (City Clerk's Records.)

GROUP X.

Miscellaneous Ordinances.

Ordinances

Relative to

Miscellaneous Subjects.

(List of Ordinances Relating to Various Subjects.)

Title Nos. References to Titles.

141—Relative to Special Election to Alter City Boundaries.
195—Consent of Council to Board of Education to Purchase School Lots.
197—Providing for a Pound and Master; Imposing License on Animals.
199——Providing for the Publication of Ordinances.
203—Providing for Collection of City Taxes on Property.
206—Regulating the Police Department.
220—Providing for Numbering Lots in the City.
221—Providing for and Defining Boundaries of Election Precincts.
225—Determining that Certain Lands are Necessary for a Public Park.
228—Relating to City Poll Taxes.
232—Uniting Office of Tax Collector with that of City Clerk.
234—Establishing Election Precinct, School Purposes, Outside of City.
238—Requiring City Officers to Keep Certain Books.
240—Providing for Public Reports from Certain City Officers.
242—Establishing a Public Boulevard.
255—Authorizing Sale of Certain City Property to T. D. Petch.
294—Providing for Giving Notice of Sitting of Board of Equalization.
306—Relating to the Sale of Certain City Lots.
315—Providing City Printing and Advertising Must be Done by Union Shops.
319—Establishing a Park Improvement Fund.
330—Fixing Time and Place of Meetings of Council and Board of Equalizaton.
331—Fixng a Ground Rental on Telegraph, Telephone and Electric Light Poles.
362—Authorizing the Purchase of the Pioneer School House Lot.
363—Awarding the Contract to Build the New City Hall Building.
364—Authorizing Contract for Plans and Specifications for New City Hall.
365—Awarding Contracts for Sewer System Construction Work.
368—Accepting Deed for Site for New City Hall Building.
374—Accepting Deed of Property as Site for Flushing Tank for Sewers.
379—Fixing Gas and Electric Light, Maximum, Charges for Fiscal Year.
380—Fixing Water Rates for Fiscal Year.
386—Ordinance Relative to Amend Charter and Adopt the Initiative and Referendum.
388—Fixing Compensation of Certain City Officers.
389—Fixing Tax Rate for Fiscal Year.
390—Giving Notice of General Municipal Election.
395—Relative to Maps and Plats of Land Within City.
397—Locating City Prison.
401—Creating Office of Janitor and of Watchman for New City Hall and Compensation of Same.

Miscellaneous Ordinances.

ORDINANCE NO. 141.

(Approved June 16th, 1891.)

Special Election to Alter the Boundaries of the City of Eureka by Annexing Thereto New Territory. (See page 23 of Book "B" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 195.

(Approved Oct. 21st, 1895.)

Consenting to the purchase of School Lots by the Board of Education of the City of Eureka. (See page 189 of Book "B" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 197.

REGULATING THE RUNNING AT LARGE OF AND IMPOSING A LICENSE TAX ON CERTAIN ANIMALS, AND PROVIDING FOR A POUND AND POUNDMASTER.

(Approved Nov. 18th, 1895.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. The Mayor, with the consent of the Council shall at the time of the appointment of one of the regular policemen designate and detail such policeman to exercise the powers and perform the duties herein specified to be exercised and performed by the "Pound Mastr," which term is used for convenience. And such policeman shall be known and designated as "Pound Master," and shall wear a badge with the words "Pound Master" thereon, to be furnished by the Council. He shall have the authority and commence to perform the duties of Pound Master immediately upon his designation therefor, and shall continue to act as Pound Master until his designation and detailing as such is revoked by the Mayor, in writing, filed with the City Clerk. He shall receive as full compensation for all services as a regular policeman and for all services under this Ordinance, the sum of $40 per month.

SEC. 2. It shall not be lawful for any person or persons to allow or permit any horse, gelding, mare, colt, mule, jack, jenny, jennet, goat, kid, cow, ox, bull, steer, calf or hog to run at large or to be fastened so as to pasture or run on any public road, street, alley or square within the corporate limits of the City of Eureka. (Amendment: Ordinance No. 360, approved Aug. 4, 1904.)

SEC. 3. Any animal mentioned in Section two of this Ordinance found running at large or fastened so as to pasture or run on any public road, street, alley

or square, or trespassing upon any private enclosure within the said described limits of the City of Eureka, may be taken up by any person and committed to the custody of the Pound Master or any regular police of said city. (Amendment, Ordinance No. 227.)

SEC. 4. The Pound Master or any regular policeman shall take up and securely keep in some suitable place to be selected by said Pound Master and which shall be known as the City Pound, all animals mentioned in Section two of this Ordinance found running at large or fastened so as to pasture or run on any public road, street, alley, or square, in said city within the limits described in Section two of this Ordinance, and shall receive and securely keep all such animals taken up and committed to his custody in accordance with the terms of this Ordinance. It shall be the duty of said Pound Master to notify the owner or owners, or person entitled to the control of such animal, of the impounding of the same by posting notices thereof in three public places in the City of Eureka for at least two days, and he shall provide subsistence for all such animals impounded while in his custody. (Amendment, Ordinance No. 227.)

SEC. 5. The charges upon all said animals impounded shall be as follows, to-wit: Upon each horse, mare, colt, mule, jack, jennet, cow, ox, or steer the sum of $2. Upon each calf, goat, kid or hog, the sum of $1; and upon each bull the sum of $5; and in addition thereto the cost of keeping any of said animals while in the custody of said Pound Master, which shall not exceed the sum of $1 per day for the first day and 50 cents for each and every day thereafter.

SEC. 6. The owner or owners, or persons entitled to the control of any of the aforesaid animal or animals impounded, may at any time before the sale thereof redeem the same by paying to the Pound Master all proper charges and costs thereon made by virtue of any provision of this Ordinance. And upon the payment of said charges and costs the Pound Master shall deliver to said person the animal so redeemed.

SEC. 7. If at the expiration of said two days from the time of posting notices required by Section Four of this Ordinance no owner can be found, or the owner or owners or person entitled to the control of the said animal impounded, fails or neglects to redeem the same, the Pound Master shall sell such animal at public auction, after giving notice thereof by posting notices in three public places for at least two days before such sale, giving the description of such animal and the time and place of sale. From the proceeds of the sale the Pound Master shall deduct charges and costs provided for in Section five of this Ordinance and shall pay the remainder thereof to the City Treasurer for the use of the person who, before the sale thereof, was entitled to the animal sold, if claimed within six months thereafter; and if not claimed the same shall then be paid into the city treasury.

SEC. 8. The Pound Master shall keep a record of all animals taken into his custody under this Ordinance, and shall pay to the City Treasurer all moneys received by him as charges and costs, after paying therefrom all charges and costs for keeping the animal and such other sums as are provided for in this Ordinance. He shall on the first day of each and every month file with the City Clerk a detailed statement showing all his acts as Pound Master, all moneys received by him and his disposition of the same.

(Sections 9, 10, 11 and 12 are repealed by Ordinance No. 200. Section 13 relates to the issuance of license tags for dogs and is embodied in Ordinance No. 200.)

SEC. 14. Ordinance No. 193 of the City of Eureka is hereby repealed.

SEC. 15. This Ordinance shall take effect immediately.

ORDINANCE NO. 199.

PROVIDING FOR THE PUBLICATION OF ORDINANCES.

(Approved Jan. 20th, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. All Ordinances which impose any fine, penalty or forfeiture for the breach or violation thereof, shall be published for four successive issues in a daily newspaper published in the City of Eureka; all other Ordinances shall be published one day in such paper; provided, that the Council may in any Ordinance provide for a longer publication thereof than herein provided.

SEC. 2. It shall be the duty of the City Clerk to record in a book, to be provided for that purpose, all Ordinances as they are enacted.

SEC. 3. Ordinance No. 2, entitled "Fixing Time When Ordinances Shall Go Into Effect, and How Published," is hereby repealed.
cess provided by law.

ORDINANCE NO. 203.

PROVIDING FOR THE COLLECTION OF CITY TAXES ON PROPERTY.

(Approved March 21st, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. The Council shall meet as a Board of Equalization on the Thursday following the first Saturday in May, at 7:30 o'clock p. m., and continue in session until 10 o'clock p. m., and must continue in session for that purpose from time to time until the business of equalization is disposed of, but not later than the third Monday in May. Notice of such meeting shall be given by the City Clerk by publication for at least two days immediately prior to such meeting, in a daily newspaper published in the City of Eureka.

SEC. 2. The Council shall make the annual tax levy at their regular meeting on the third Monday in May.

SEC. 3. After the taxes have been duly levied by the Council, the City Assessor shall make the proper calculations and extend upon the assessment books the amount of taxes due from each person, firm or corporation, and deliver said books to said Council, so completed, on or before the first Monday in June. The Council shall forthwith deliver the said books to the City Clerk, who, after charging the Tax Collector with the full amount of taxes levied, shall deliver to the Tax Collector the said books.

SEC. 4. Within fifteen days after the Tax Collector receives the assessment books he must publish a notice specifying:

First: That the taxes on all personal property secured by real estate, and taxes all real property will be due and payable on the first Monday in July and will be delinquent on the first day of August thereafter, at six o'clock p. m., and that unless paid prior thereto, fifteen per cent will be added to the amount thereof.

Second: The time and place at which payment of taxes may be made.

The notice must be published for two weeks in some daily newspaper published in the city.

SEC. 5. All city taxes shall be paid in United States gold coin at the office of

the Tax Collector, in the City of Eureka, and shall be payable on and after the first Monday in July and until the first day of August of the same year.

SEC. 6. All city taxes not paid before the first day of August at six o'clock p. m. are delinquent, and thereafter the Tax Collector must collect, for the use of the city, an addition of fifteen per cent thereon; provided, that the taxes on all personal property unsecured by real property shall be due and payable immedately after the assessment of said personal property is made, and the Assessor shall collect the same as provided by law, at any time after making the assessment and before the first Saturday in May.

SEC. 7. On the third Monday in May the Assessor shall return all unused receipts furnished him by the Clerk under Section 3738 of the Political Code, and the Clerk shall credit him with the number returned.

SEC. 8. On the 7th day of August of each year the Tax Colector must attend at the office of the Clerk with the assessment books, having all items of taxes collected marked "Paid," and at the same time he shall deliver to the Clerk a complete delinquent list of all persons and property then owing taxes. The Clerk shall thereupon compute and enter against all the items of taxes due and unpaid, the penalty of delinquency, foot up the total amount of taxes due on the delinquent tax list, with the penalty or penalties added thereto, and charge the acting Tax Collector with the amount thereof, and within five days thereafter deliver the list, duly certified, to such Tax Collector.

SEC. 9. After August 1st, and before August 10th, of each year, the Tax Collector must notify all persons or their agents by mail when their post office address can be ascertained, that their taxes have become delinquent, the amount of said taxes, and that the same will be sold unless paid prior to 5 o'clock p. m. of September 15th of that year.

SEC. 10. The Tax Collector must publish the delinquent list for two successive weeks in a newspaper published in the city, the first publication to be before and the second one after the 25th day of August of each year. The publication must conform substantially to Sections 3764, 3765 and 3767 of the Political Code. The Council must contract for such publication with the lowest bidder and after five days' notice that such contract will be let, said notice to be given before the third Monday in August. The bidding must be by sealed proposals.

SEC. 11. On the day and hour fixed for the sale, which shall be 5 o'clock p. m. of September 15th, of each year, all the property delinquent upon which the taxes of all kinds, penalties and costs have not been paid shall by operation of law and the declaration of the Tax Collector be sold to the city and said Tax Collector shall make an entry "Sold to the City," on the delinquent assessment list opposite the tax, and he shall be credited with the amount thereof in his settlement made with the Clerk as hereinafter provided.

SEC. 12. The Council may at any time after the delinquent list has been delivered to the Tax Collector direct him not to proceed in the sale of any property of said list whereon the taxes shall amount to twenty dollars or more. Upon such direction the Tax Collector must make out and deliver to the Clerk a certified copy of the entries upon the delinquent list relative to such taxes. The Council shall thereupon direct suit to be brought against the delinquent in the proper court, in the name of the City of Eureka, to enforce such collection.

SEC. 13. The Tax Collector must make out a certificate of delinquent taxes for each piece or tract of land sold, dated on the day of the sale, stating "when known," the name of the person assessed, and description of the land sold, that it

was sold for delinquent taxes to the city, and giving the amount and year of the assessment, and specifying when the city will be entitled to a deed.

SEC. 14. Such certificate must be signed by the Tax Collector, and be by him recorded in a book which shall contain a record of every certificate of sale made by him to the city for real estate sold for delinquent taxes, which book shall be properly indexed, shall be kept in the office of the Tax Collector, and shall be at all suitable times subject to public inspection. The Council shall prescribe the form of such certificate and record book. In case of a redemption, or a subsequent sale of any of said property by the city, the Tax Collector must enter on the margin of the certificate, as recorded in such book, the fact of such redemption or sale, giving the date thereof and by whom redeemed.

SEC. 15. A redemption of the property sold may be made by the owner, or any party in interest, within five years from the date of the sale to the city, in the manner provided by Section 3817 of the Political Code, as far as the same can be made applicable to the city. If the property is not redeemed within the time allowed for its redemption, the Tax Collector, or his successor in office, must make the city a deed of the property, as provided by Section 3785 of the Political Code. All such deeds shall be recorded by the Tax Collector in a book to be kept by him in his office as provided by Section 3785 of the Political Code. All such deeds shall be recorded by the Tax Collector in a book to be kept by him in his office as provided in Section 57 of the Charter of said city. The Council shall prescribe the form of all such deeds and record book. The Tax Collector shall, on the application of the person desiring to redeem any property sold for delinquent taxes, make an estimate of the amount to be paid, and shall give him the triplicate certificates of the amounts, specifying the several amounts thereof, which certificate shall be delivered to the City Treasurer, together with the money, and the City Treasurer shall give triplicate receipts of said money, written or endorsed upon said certificates to the redemptioner, who shall deliver two of said receipts to the Tax Collector, taking his receipt therefor. The Tax Collector shall forthwith file one of said certificates, with his endorsement and the date of receiving it written thereon, in the office of the City Clerk. Upon receiving said certificate the said Clerk shall charge the Treasurer with the amount specified therein. Upon the payment of said money and the return of said certificate and Treasurer's receipt to the Tax Collector, any certificate of sale that may have been made to the city shall become null and void, and all right, title, and interest acquired by the city under and by virtue of the tax shall cease and determine.

SEC. 16. The Tax Collector must, on or before the 10th day of September of each year, attend at the office of the City Clerk with the delinquent list, with all items collected marked "Paid" thereon, and the City Clerk must then carefully compare the list with the assessment of persons and property not marked "Paid" on the assessment book, and when taxes have been paid must note the fact in the appropriate column in the assessment book. The Clerk must then foot up the amount of taxes unpaid and credit the Tax Collector with the amount and have a final settlement with him, and the delinquent list must remain on file in the Clerk's office. On the 25th day of August of each year the Tax Collector must make an affidavit, endorsed on the list, that the taxes not marked "Paid" have not been paid.

SEC. 17. All taxes for the year 1895 not collected shall be entered by the Assessor on the assessment book for 1896, and be collected as other taxes entered thereon, with interest thereon at two per cent per month from the time they become delinquent.

SEC. 18. Ordinances No. 8, 18, 31, 70, 71, 85 and 150 of the City of Eureka are

hereby repealed; provided, that all acts done under said Ordinances and all rights and obligations arising out of or from said Ordinances shall be preserved and continued under this Ordinance.

ORDINANCE NO. 206.

REGULATING THE POLICE DEPARTMENT.

(Approved May 4th, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. The Chief of Police shall cause to be kept at the police station a "Register of Arrests," in which shall be entered under proper headings, as soon as an arrest is made, the date and hour of such arrest, the name of the person arrested, the crime with which he is charged, the name of the complaining witness, if any, and his place of residence, a description of any property found upon or in the possession of the person arrested, and the name of the officer making the arrest.

SEC. 2. The Chief of Police shall also keep a "Criminal Record," in which shall be kept a record of the time and place of arrest of every person arrested by the Police Department of the City, together with the name, nativity, age, occupation, complexion, height, color of hair and eyes, and identifying marks or scars, the alleged crime with which he is charged, the place where said crime was committed, by whom such person was arrested, where he was imprisoned and the fine or punishment imposed.

SEC. 3. The Chief of Police shall cause to be made out and delivered to the Police Judge of said city, before ten o'clock a. m. of each day (Sundays excepted), an exact copy of the entries made on the "Register of Arrests," since the last preceding report, dated and certified by said chief to be correct.

SEC. 4. Neither the Chief of Police nor any regular nor special police officer shall discharge any person from custody except in the manner and under the process provided by law.

SEC. 5. The Chief of Police shall keep in his office a blank book open and accessible to every person, wherein notice may be written of the existence of any nuisance, or the violation of any law or any Ordinance of the Council. Immediately upon such notice being given, the Chief of Police shall himself, or through an officer, detailed for that purpose, inquire into the existence of such nuisance or the alleged violation of law or Ordinance.

SEC. 6. The Chief of Police shall make all details of officers for duty, and shall at least every three months change the detail of police officers upon night duty, unless otherwise directed by the Mayor, and shall make such details as the Mayor shall direct.

SEC. 7. In case of fire the Chief of Police shall proceed with all the force off duty and be vigilant in preserving order and preventing crime in the immediate vicinity of the fire.

SEC. 8. All regular and special police officers on day duty shall report at the police station at 6 o'clock a. m. "for duty" and at the same place at 6 o'clock p. m. for "off duty;" and all regular and special policemen on night duty shall report at the police station at 6 o'clock p. m. "for duty," and at 6 o'clock a. m. for "off duty."

SEC. 9. No police officer shall absent himself from the City of Eureka with-

out the permission of the Chief of Police; nor shall any such officer while on duty visit any drinking saloon, house of ill-fame, bawdy house, theater, circus or other place of amusement or business, except in the discharge of his duty; nor shall any police officer become bail for any person charged with crime. Should any regular officer be temporarily disabled while in the discharge of his duty, his compensation may be continued during such temporary disability.

SEC. 10. The Council shall furnish all books, blanks and badges required by this Ordinance.

SEC. 11. The Chief of Police and all regular officers shall provide such uniform as the Council shall adopt, and shall wear the same and the badge of office upon all occasions while on duty, except while performing detective duty under the direction of the Chief of Police.

SEC. 12. Ordinances No. 153 and No. 154 are hereby repealed; provided, that all appointments, rights, obligations and duties arising and existing under said Ordinances are continued under this Ordinance.

ORDINANCE NO. 220.

PROVIDING FOR NUMBERING THE LOTS OF THE CITY OF EUREKA.

(Approved May 25th, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. The lots of this city shall be numbered by the Superintendent of Streets, projecting the numbers from two base lines, the north and south base line to be First street, and the east and west base line to be "A" street. .

SEC. 2. All streets intersecting First shall be numbered as follows: Commencing at the south line of First street at the point of intersection with No. 100 on the west, and 101 on the east side thereof, and numbering thence south allowing one hundred numbers to each block, as designated on the official map of numbers, odd numbers to be on the east side and even numbers on the west side thereof, numbering one number for each twelve lineal feet, using the numbers from 100 to 199 inclusive in the first block, the numbers 200 to 299, inclusive, in the second block, and so on consecutively from said base line south to the boundaries of said city; and said streets to be numbered from the north line of First street to the water front, commencing with 99 on the east and 98 on the west sides thereof and decreasing towards the bay, allowing twelve lineal feet for each number. All streets intersecting "A" street shall be numbered as follows: Commencing at the east line of "A" street at the point of intersection with No. 1 on the north and No. 2 on the southsides thereof, and numbering thence east, allowing 100 numbers to each block as designated on the official map of numbers, odd numbers to be on the north side and even numbers on the south side thereof, numbering one number for each twelve lineal feet, using numbers from 1 to 99 inclusive in the first block, the numbers 100 to 199 inclusive in the second block, and so on consecutively from said base line east to the boundaries of said city; and said streets to be numbered on the west side of "A" street, running west to the boundary line of the city in the same manner as on the east side thereof, using even numbers on the north and odd numbers on the south; all numbers on said streets east of "A" street to be designated (for example), as "No. 41 Grant street"; all numbers on said street west of "A" street to be designated as "No. 41 W. Grant street." All

other streets shall be numbered in the manner designatd on the said official map of numbers, and on all such streets east of "A" street, the even numbers shall be on the west and south and the odd numbers on the north and east sides thereof, allowing twelve lineal feet for each number.

SEC. 3. The map accompanying Ordinance No. 143, and which was filed Nov. 2d, 1891, is hereby adopted as the official map of numbers of the City of Eureka.

SEC. 4. Any owner or occupant of any lot refusing to place the number of said lot over the main entrance of any building erected thereon, after such number shall have been furnished to him by the Superintendent of Streets, shall be deemed guilty of a misdemeanor, and upon conviction shall pay a fine of ten dollars.

SEC. 5. No figure or letter in any number shall be less than two inches from top to bottom.

SEC. 6. Ordinance No. 143 is hereby repealed.

ORDINANCE NO. 221.

PROVIDING FOR ELECTION PRECINCTS.

(Approved May 25th, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. The City of Eureka for the purpose of holding and conducting city elections, is hereby divided into ten election precincts, to be known and bounded as follows, to-wit:

Precinct 1.—All that portion of the First Ward lying west of a line drawn through the center of "F" street from its intersection with Seventh street, northerly to the city limits.

Precinct 2.—All that portion of the First Ward not included in Precinct No. 1.

Precinct 3.—All that portion of the Second Ward lying north and west of a line drawn through the center of Myrtle avenue from its intersection with Seventh street westerly to the center of Third street; thence westerly along the center of said Third street to the center of "M" street; thence northerly along the center of said "M" street to the city limits.

Precinct 4.—All that portion of the Second Ward not included in Precinct No. 3.

Precinct 5.—All that portion of the Third Ward lying north of a line drawn through the center of Twelfth street from its intersection with "F" street easterly through Twelfth street to its intersection with Myrtle avenue or Arcata Road.

Precinct 6.—All that portion of the Third Ward not included in Precinct No. 5.

Precinct 7.—All that portion of the Fourth Ward lying west of a line drawn through the center of "B" street at its intersection with Cedar street, northerly to Fourth street.

Precinct 8.—All that portion of the Fourth Ward not included in Precinct No. 7.

Precinct 9.—All that portion of the Fifth Ward lying north of a line drawn through the center of Del Norte street at its intersection with "F" street westerly to the east end of Murray street; thence westerly along the center of Murray street (if extended), to the city limits.

Precinct 10.—All that portion of the Fifth Ward not included in Precinct No. 9.

SEC. 2. Ordinance No. 148 is hereby repealed.

ORDINANCE NO. 225.

DETERMININING THAT CERTAIN LANDS ARE NECESSARY FOR A PUBLIC PARK.

(Approved June 1st, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. It is hereby declared that the following described lands are necessary and proper for the purpose of a public park for the City of Eureka: In the City of Eureka, Humboldt County, State of California, Lots No. 1, 2, 3, 4, 5, 6, 7, 8, 9, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29, (excepting therefrom a strip forty feet wide reserved for a continuation of "S" street on and along the west line of said lots No. 9 and 20), all in Glatt's Second Addition to said City of Eureka. Also that portion of Manzanita avenue lying between the east line of "S" street (if extended), and the west line of "W" street, in said Glatt's Second Addition, according to the map of said Addition now on file in the office of the Recorder of said Humboldt County.

SEC. 2. It is hereby declared that said described lands shall be purchased for the purpose of a public park for said City of Eureka.

SEC. 3. The following described lands acquired by said City of Eureka under Ordinance No. 180, and being "Forest Park" of said city, viz: In the City of Eureka, Humboldt County, State of California, that Lot marked and designated on the map of Glatt's Second Addition to said City of Eureka, "Reserved for Park," and bounded on the north by Glatt street, on the east by a lot, on the south by Manzanita street, and on the west by "S" street, according to the map of said Addition, together with the lands described in Section one of this Ordinance, are declared to be a public park of the City of Eureka, to be known as "Forest Park."

SEC. 4. Ordinance No. 180 is hereby repealed.

SEC. 5. This Ordinance shall take effect immediately.

ORDINANCE NO. 228.

RELATIVE TO CITY POLL TAXES.

(Approved June 25th, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. At the time of making the tax levy on the third Monday in May of each year, the Council shall levy an annual road poll tax of two dollars on every male inhabitant of the City of Eureka, over the age of twenty-one years and under fifty-five years of age, except members of the Fire Department and exempt firemen.

SEC. 2. The one dollar poll tax imposed by Section 84 of the City Charter, and the two-dollar road poll tax imposed by Section one of this Ordinance, shall

be due and payable after the first Monday in March, and must be collected by the City Assessor between the first Monday in March and the first day of August in each year.

SEC. 3. The City Treasurer must, before the first Monday in March in each year, cause to be printed one dollar poll tax and two dollar road poll tax receipts, in book form, with stubs numbered the same as the receipts, of one hundred in each book, a sufficient number for the use of the Assessor. The stubs shall have a line for the name of the poll tax payer, his age, residence, occupation and by whom employed, and shall comply with Sections 84 and 85 of the City Charter.

SEC. 4. The Treasurer must, before the first Monday in March of each year:

First: Number and sign the said blanks.

Second: At the time of signing make an entry of the whole number thereof, and of the first and last number placed thereon, in a book by him kept for that purpose.

Third: Deliver all such blanks to the City Clerk and charge him therewith.

SEC. 5. The City Clerk upon the receipt thereof must sign the same and make in a book to be kept by him for that purpose a similar entry to that prescribed in sub-division two of the preceding Section.

SEC. 6. The City Clerk must at any time after the first Monday in March, upon demand, deliver to the Assessor the said blanks and charge him therewith.

SEC. 7. On the 1st day of August the Assessor must return to the City Clerk all poll tax receipts received by him and not used, and pay to the Treasurer the total amount collected and not before paid in, and must make final settlement with the City Clerk and Treasurer therefor.

SEC. 8. On the 1st day of August of each year, the Assessor must deliver to the City Clerk the poll tax roll made as required by Section 3857 of the Political Code and the Clerk must add to the total poll tax delinquent on such roll thirty-three and one-third per centum additional, and on the said 1st day of August deliver such list to the Tax Collector and charge the Tax Collector therewith.

SEC. 9. The proceeds of the road poll taxes must be paid to the Treasurer, as provided by law, and kept in the "Street and Alley Fund."

SEC. 10. This Ordinance shall take effect immediately.

ORDINANCE NO. 232.

TO UNITE AND CONSOLIDATE THE OFFICE OF TAX COLLECTOR WITH THAT OF CITY CLERK.

(Approved Feb'y. 15th, 1897.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. The offices of City Clerk and Tax Collector of the City of Eureka are hereby consolidated. The City Clerk of the City of Eureka hereafter elected shall be ex-officio Tax Collector of said City of Eureka.

SEC. 2. This Ordinance shall take effect upon its approval: Provided, that the present City Clerk and the present Tax Collector shall hold their respective offices until the second Monday of July, 1897.

ORDINANCE NO. 234.

ESTABLISHING AN ELECTION PRECINCT FOR THAT PART OF THE CITY OF EUREKA SCHOOL DISTRICT OUTSIDE OF THE CORPORATE LIMITS OF EUREKA, AND WHICH HAS BEEN ANNEXED THERETO

(Approved May 17th, 1897.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. In accordance with Section 1576 of the Political Code of the State of California, that portion of Eureka School District lying outside of the corporate limits of said City of Eureka and bounded and described as follows, to-wit: The south half of Sec. 34, Township 5 North, Range 1 west, H. M., and which was on August 8th, 1895, annexed to the City of Eureka for school purposes; and also the east half of the southeast quarter of Sec. 33 Township 5 North, Range 1 west H. M., which was on March 25th, 1899, annexed to the City of Eureka for school purposes, is hereby declared to be, and all said territory described shall constitute a part of the Fifth Ward of the said City of Eureka, and the same shall be and is hereby designated and established as Precinct No. 11 of the Fifth Ward of the City of Eureka for school purposes only. (Amendment: Ordinance No. 265, approved May 22nd, 1901.)

SEC. 2. This Ordinance shall be in effect upon its approval by the Mayor.

ORDINANCE NO. 238.

REQUIRING CITY OFFICERS TO KEEP CERTAIN BOOKS AND REGULATING THE MANNER OF KEEPING THE SAME.

(Approved February 11th, 1898.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. The officers of the City of Eureka hereinafter named, shall keep the books herein specified, and shall make the entries and keep such books as herein provided.

SEC. 2. The City Clerk must keep:

1.—A journal of all the proceedings of the Council during its sessions, which shall be labeled "Record Book."

2.—An Index of Record Books, labeled "Index of Record Books."

3.—A "Cash Book."

4.—A "Ledger."

5.—A "Journal."

6.—A register of dog tags issued, labeled "Register of Dogs"; each page of which shall be divided into six columns, headed respectively: Date of Register, By Whom Registered, Description of Dogs, No. of Tag, Expiration of License, Amount Paid.

7.—A book labeled "Register of Street Contracts," which shall be a register of all street grading, graveling and sewer contracts. Each page of said book shall be divided into seven columns, headed respectively: Date of Contract, Description of Same, Name of Contractor, Amount of Contract Price, Payments, Date of Payments, No. Warrant.

8.—A book labeled "Contracts and Bonds" in which shall be recorded all

contracts and bonds accompanying the same. Such book to be properly indexed in the front thereof.

9.—A book labeled "Official Bonds," in which all bonds of city officers must be recorded. Such book to be properly indexed in the front thereof.

10.—A book labeled "Ordinances," in which all ordinances shall be recorded in the order of their adoption.

11.—A book labeled "Index to Ordinances," in which all Ordinances adopted and the matter of such Ordinances must be properly indexed.

12.—A book labeled "Letter Book," in which shall be copied all official correspondence.

13.—A register of warrants issued labeled, "Register of Warrants," each page divided into seven columns, headed respectively, Date of Issue, No. Warrant, To Whom Drawn, For What Allowed, Fund Drawn On, Amount, Total.

14.—A book labeled "Warrant Index," in which shall be indexed in alphabetical order the names of all persons to whom city warrants are drawn, with a reference to the number of warrant as recorded in the Register of Warrants.

15.—A book labeled "Exempt Firemen," which shall be a record of all "Exempt Firemen's Certificates issued by order of the Council." Each page of said book shall be divided into four columns, headed respectively, Name in Full, No. Company, Time of Service, Date Certificate Granted. The said book shall be indexed and entries made so that the names of exempt firemen shall be in alphabetical order.

16.—A book labeled "Register of Street Work," the two opposite pages of which shall be divided into columns and parts so that there shall be a part of a column for each of the following heads: Name of Employee, No. Days Worked, Rate Per Day, Total Wages for Month, Distribution of Time, Distribution of Cost of Material, Recapitulation of Distribution. The entries in said book shall be made monthly by the Clerk from the monthly reports of the Superintendent of Streets, as soon as the same are filed. After making such entries the Clerk must certify that they were made from the report of Superintendent of Streets with date of entry, and sign the same. The Superintendent of Streets shall thereupon compare such entries with his monthly report and the records of his office and certify the same to be true and correct.

17. A book containing a detailed and descriptive inventory of all the real and personal property of the city, excepting cash, labeled "Inventory of City Property." The said book to state the original cost of all property when known, and if not known an estimate of cost made by the Mayor. The Clerk must make entries in said book whenever additions are made to city property or sales made, showing the same; and it must be fully written up by each Clerk at the expiration of his term of office so as to show the property of the city at that time.

18.—Books to be numbered consecutively and labeled "Original Warrants," such books shall be the stubs of the original warrants and upon the stubs shall be recorded the number of corresponding warrant, its date, to whom issued, and signature of person receiving the same. The warrants for each fiscal year shall be numbered commencing with number one each year.

SEC. 3. The Tax Collector must keep:

1.—A book labeled "Cash Book," in which shall be entered the date of payment of all city taxes, when paid and amount of same.

2.—A book labeled "Certificates of Tax Sales," properly indexed as provided by Section 14 of Ordinance No. 203 of the City of Eureka.

3.—A book labeled "Tax Deeds," properly indexed, as provided by Section 15 of Ordinance 203 of the City of Eureka.

4.—A book labeled "Register of Liquor Licenses," each page divided into eight columns headed respectively: No. License Isssued, To Whom Issued, Location of Business, Date of Issue, Term from ——— to ———, Expiration of Bond, Amount paid.

5.—A book labeled "Record of Licenses," which shall be a record of all licenses issued by him except liquor licenses. The two opposite pages of said book shall be headed Record of Auctioneer's Licenses, Flying Horses or Merry-go-Rounds, Theater and Street Venders Licenses. And said pages shall be divided into eleven columns, one of which shall be blank and the other columns shall be headed respectively as follows: Date of Issue, Auction License No.—, Flying Horse or Merry-go-Rounds License No., Theater License No., Street Venders License No., To whom Issued, Business, Performance or Exhibition, Place When Authorized, Time Authorized for, Amount Paid.

SEC. 4. The Assessor shall keep:

1.—A book labeled "Poll Tax List," which shall be a roll of the names and residences or place of business of all persons subject to or liable for city poll taxes; and if paid, date and amount of such payments, and if not paid, cause of such non-payment.

SEC. 5. The Treasurer shall keep:

1.—A Cach Book.

2.—A Ledger.

3.—A Journal.

SEC. 6. The Chief Engineer of the Fire Department shall keep:

1.—A record of all fires occurring in the City of Eureka, labeled "Fire Record," each page of such book shall be divided into ten columns headed respectively: Date of Fire, Time, No. Alarm Box, Property Damaged or Destroyed, Location of Property, Name of Owner, Cause of Fire, Amount of Loss, Insurance, Remarks.

2.—A register of exempt firemen's certificates issued, labeled "Firemen's Certificates Issued;" each page divided into five columns, headed respectively: To Whom Issued, No. Company, Date of Membership, Term of Service, By Whom Issued.

3.—An inventory of the property of the Fire Department, labeled, "Inventory of Fire Department Property." Each engineer of the Fire Department immediately after taking office must open an account in such book and charge himself with all property of the Fire Department at its original cost, or, if not known, at its estimated cost, said account to be an itemized and descriptive statement of all property of the department. He must charge himself with all property of the department purchased during his term of office at its cost price. At the expiration of each term of office the Chief Engineer must balance his account by crediting himself with all property of the department then on hand, and shall credit his account with all property of the department which has been lost, destroyed or worn out during said term, upon reporting such facts to the Council and his report being approved.

SEC. 7. The Chief of Police shall keep:

1.—A register of all arrests made labeled, "Register of Arrests;" each page divided into nine columns header respectively: Date of Arrest, Hour of Arrest, Name of Person Arrested, Complaining Witness, Residence of Witness, Description of Property on Person Arrested, Crime Charged, Bail Deposited, Name of Arresting Officer.

2.—A "Criminal Record," as provided by Section 2 of Ordinance No. 206 of the City of Eureka.

3.—A book to be labeled, "Complaint Book," and kept as required by Section 5 of Ordinance 206 of the City of Eureka.

SEC. 8. The Pound Master shall keep:

1.—A register of stock impounded labeled "Pound Master's Book;" each page divided into eleven columns healed respectively: Date of Impounding, Description of Animal, Name of Owner, Fine Collected, Cost of Keeping, Collected, Animal Sold for $——, Total Receipts, To Whom Sold, Date Keeping Paid, Paid Treasurer, Remarks.

SEC. 9. The Health Officer shall keep:

1.—A journal of all proceedings of the Board of Health, labeled "Minutes of Board of Health."

2.—An index of such journal, labeled "Index to Minutes of Board of Health."

3.—A register of Births, labeled "Register of Births;" each page divided into five columns headed respectively: Name of Parents, Date of Birth, Sex of Child, Color of Child, Race of Child.

4.—A book to be labeled "Register of Deaths," which shall contain blank burial permits and accompanying stubs, consecutively numbered, and in which shall be recorded the following facts concerning persons for whom burial permits are issued: Name, Age, Sex, Color, Race, Single or Married, Occupation, Place of Birth, Date of Death, Cause of Death, Medical Attendant, Where to be Buried, Name of Cemetery, Issued by.

5.—A record of the removal of the remains of deceased persons, labeled "Records of Removals," which shall contain blank removal permits and accompanying stubs, numbered consecutively, and in which shall be recorded the following facts: Name of Deceased, Age, Sex, Color, Race, Occupation, Single or Married, Place of Birth, Place of Burial, Destination, To Whom Issued.

6.—A book labeled "Record of Licensed Plumbers;" each page of which shall be divided into ten columns headed respectively: Name in Full of Applicant, Nativity, Place of Residence, When Application Filed, When Applicant Examined, Order Denying Application, Order Granting Application, License Issued, From—— to ——. Said book shall be alphabetically indexed in the front thereof with the names of all persons to whom plumbers' licenses have been issued.

7.—A book labeled "Maps of Plumbing and Drainage Plans;" in which shall be numbered and filed in consecutive order all plans and descriptions of plumbing and drainage which have been submitted to and approved by the Board of Health. Each of such plans or descriptions shall have endorsed thereon the date of the approval of the same, signed by the Secretary of the Board of Health. Such book shall be properly indexed in the front thereof.

SEC. 10. The Police Judge shall keep:

1.—A register of Criminal Actions properly indexed.

2.—A Register of Civil Actions properly indexed.

3.—A Cash Book, each page divided into seven columns headed respectively: Date of Payment, From Whom Received, No. of Case, Amount Paid, Date Paid Treasurer, No. of Authorization Receipt, Amount Paid Treasurer.

SEC. 11. The City Engineer shall keep:

1.—Books to be labeled "Level Books;" which shall contain the original record of all field work of the City Engineer, said books to be numbered consecutively commencing with 1.

2.—An index to all levels run, labeled "Index to Level Books," divided into

five columns headed respectively: Location of Work, Date of Work, City Engineer, No. Level Book, Page——.

3.—A Map Book, properly indexed, in which shall be filed, numbered and kept all sewer block maps.

4.—A "Map Book," properly indexed, in which shall be filed, numbered and kept, all block maps.

5.—Transit Books, to be numbered consecutively, commencing with No. 1, in which shall be kept the original record of surveys of city work, with the signature of the City Engineer making the survey.

6.—An Index to Transit Books, labeled "Index to Transit Books," each page divided into four columns, headed respectively: Location of Work, Date of Work, Name of City Engineer, No. of Book, Page —.

7.—A record of Sewer Connections labeled "Record of Sewer Connections;" the left hand page to be divided into eleven columns headed rspectivly: Number of Junction, Diameter of Junction, Elevation of Invert, Grade of Street or Alley, Difference Between Elevation of Invert and Street or Alley Grade, Distance of Junction from Man-hole or Other Fixed Point, No. House to be Connected, Name of Street, Name of Applicant, Name of Plumber Making Connection, Date When Connection was Made. The right hand page of said book to contain a plan of the sewer, to be drawn thereon, showing its exact location in the street with man-hole and junctions marked in their proper places; and also the lots on each side of the street or alley with which connections have been made.

8.—A book of profiles in which shall be kept all profiles made by City Engineers, filed and numbered in the order in which they are made, said book to be properly indexed in the front thereof.

SEC. 12. The City Attorney shall keep:

1.—A book to be labeled "Register of Actions;" which shall be a register of all actions in which the City of Eureka is a party. The two opposite pages of said book shall be divided into twelve columns headed respectively: Plaintiff, Defendant, When Commenced, Character of Action, Amount Sued For, When Tried, Result of Trial, Amount of Judgment, When Entered, When Appealed, Final Decision, Remarks.

SEC. 13. The Superintendent of Streets shall keep:

1.—An inventory of all property in his custody or under his control as Superintendent of Streets, labeled "Street Department Property." Each Superintendent of Streets, immediately after taking office must open an account in such book and charge himself with all property of the city in his custody or control at its original cost, or where that is not known, at its estimated cost; said account to be an itemized and descriptive statement of all property of the Street Department. He must charge himself thereafter with all property of the Street Department purchased during his term of office at its cash price. At the expiration of each fiscal year the Superintendent of Streets must balance his account by crediting himself with all property of the Department then on hand, and shall credit his account with all property of the Department which has been lost, destroyed, or worn out during the preceding year, upon reporting such facts to the Council and his report being approved.

SEC. 14. The Mayor shall prescribe the form of all books herein provided to be kept.

SEC. 15. The officers herein named shall keep all books not herein mentioned, which are required to be kept by the City Charter or City Ordinances.

SEC. 16. All books herein required to be kept shall be provided by the Council in such way as said Council may direct.

SEC. 17. The Mayor shall not sign the warrants drawn to pay the salary of any officer whose books are not kept up to date as required by this Ordinance.

SEC. 18. This Ordinance shall take effect on the 1st day of July, 1898.

ORDINANCE NO. 240.

PROVIDING FOR REPORTS OF CERTAIN OFFICERS.

(Approved March 7th, 1898.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. The Superintendent of Streets of the City of Eureka shall make, sign and file with the City Clerk a monthly report of his work and the transactions of the Street Department during the preceding month. Such report must show the names of persons employed, dates of employment, total days employed, wages per day, total wages, material purchased, from whom, description and cost of material, the distribution of the time and material to different work and the monthly cost of each kind of city work and improvements.

SEC. 2. The Superintendent of Streets must make an annual report on the first day of July of each year, in addition to the report required of him by Sub. 8, Section 68 of the City Charter. Said report shall contain a concise statement of all city property which during the year ending with June 30th, came to his custody or control, of all property purchased for the use of the Street Department during the year, and of any of such property which has during the year been lost, destroyed or worn out.

SEC. 3. The Assessor shall on the first Monday in each month make out and file with the City Clerk a monthly report, showing the value of all Personal Property Assessed, Tax Rate, Amount of Tax, Assessor's Commission and Amount Paid Treasurer. Such report must also contain a statement showing the name of each taxpayer assessed upon personal property alone, the amount of each assessment, tax paid and date of payment. Such report must be subscribed and sworn to by the Assessor.

SEC. 4. The Mayor shall prescribe the form of all reports herein required to be kept.

SEC. 5. Each city officer mentioned in Section 68 of the City Charter shall make and present to the Council at its first meeting of each year, an annual report for the preceding year ending July 1st. Each of such reports shall be in form and substance respectively as required by said Section 68 of the City Charter.

SEC. 6. The Mayor shall not sign the warrants drawn to pay the salary of any officer who fails to make and present the reports as herein required.

SEC. 7. This Ordinance shall take effect on March 10th, 1898.

ORDINANCE NO. 242.

(Approved Sept. 22nd, 1898.)

To Establish a Public Boulevard and Declaring What Lands Are Necessary

and Proper to be Acquired for that Purpose. (See Page 311 of Book "B" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 255.

(Approved Nov. 7th, 1900.)

Authorizing and Directing the Sale and Conveyance of City Property in the City of Eureka. The South-West Quarter of Block No. 121 of the City of Eureka. (See page 351 of Book "B" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 294.

PROVIDING FOR GIVING NOTICE BY THE COUNCIL SITTING AS A BOARD OF EQUALIZATION, OF ITS INTENTION TO RAISE THE ASSESSMENT OF ANY PERSON OR CORPORATION ASSESSED ON THE ASSESSMENT ROLL.

(Approved May 8th, 1902.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. The Council, when sitting as a Board of Equalization, must, before raising the assessment of any person or corporation on the assessment roll, cause at least two days notice to be given to any person or corporation whose assessment is to be raised. Such notice must be given to such person or corporation personally, or in the manner provided by Subdivision 2, Section 1011 of the Code of Procedure of the State of California.

SEC. 2. Such notice must be addressed to the person or corporation whose assessment is to be raised, must specify the intention of the Board of Equalization to raise the assessment of the real or personal property of such person or corporation, and direct him or it to appear before the Board of Equalization at a time and place to be specified in such notice, and show cause why such assessment should not be raised.

SEC. 3. The Board of Equalization shall direct such notice to be given by some person designated by said Board, and at the time of ordering such notice, shall designate the time and place, when and where said person or corporation and each of them are to appear before said Board and show cause why such assessment should not be raised.

SEC. 4. This Ordinance shall take effect upon its approval by the Mayor.

ORDINANCE NO. 306.

(Approved Jan. 20th, 1903.)

An Ordinance Relating to the Sale of City Lots in the City of Eureka. (See page 49 of Book "C" of Ordinances) (City Clerk's Records.)

ORDINANCE NO. 315.

AN ORDINANCE PROVIDING THAT ALL PRINTING FOR THE CITY OF EUREKA SHALL BE EXECUTED BY PERSONS OR CORPORATIONS ENTITLED TO AND USING THE LABEL OF THE "INTERNATIONAL TYPOGRAPHICAL UNION" AND THAT ALL ADVERTISING FOR SAID CITY SHALL BE PUBLISHED IN NEWSPAPERS DISPLAYING SAID LABEL.

(Approved June 9th, 1903.)

Be it ordained by the Council of the City of Eureka:

SECTION 1. All printing matter and blank books in or upon which printing matter might occur, which may be published, executed or preformed by or under the authority of the officers of the City of Eureka or any of them, shall be printed and published exclusively by persons, firms or corporations entitled to use the label of the "International Typographical Union," and all such publications or blank books shall bear upon the face thereof the label of the "International Typographical Union."

SEC. 2. All legal or general advertising ordered or authorized by said City or any of its officers shall be printed and published in a newspaper or newspapers entitled to the use of the label of the "International Typographical Union"' and having said label displayed in its or their columns.

SEC. 3. It is hereby made the duty of the City Clerk, when advertising for sealed proposals for the doing of general or legal advertising or printing for the City or any of its officers, to insert in the notice inviting proposals for such work, the statement that all such work must bear upon its face or in the column of the newspaper performing it, the label of the "International Typographical Union."

SEC. 4. All printed matter or advertising not executed in accordance with the provisions hereof, shall be deemed to have been done illegally and shall not be accepted, used, audited or paid for by said city or any of its officers, and all contracts in contravention of the terms of this ordinance shall be deemed invalid and illegal and shall not be audited by the Council.

SEC. 5. This ordinance shall take effect immediately upon its approval by the Mayor.

ORDINANCE NO. 319.

ESTABLISHING A PARK IMPROVEMENT FUND.

(Approved October 7th, 1903.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. A Park Improvement Fund is hereby established.

SEC. 2. All revenue derived from the percentage on earnings of Street Railroad Franchises shall be placed in the Park Improvement Fund to be expended upon the public parks of the City.

ORDINANCE NO. 330.

AN ORDINANCE FIXING THE TIME AND PLACE OF REGULAR MEETINGS OF THE COUNCIL AND BOARD OF EQUALIZATION.

(Approved March 4th, 1904.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. The Council shall hold regular meetings at the City Hall at 7:30 p. m. on the second Monday of July succeeding their election, and on the first and third Tuesdays of every month. Also on the first Saturday in May to receive the Assessment List; on the Thursday following the first Saturday in May to sit as a Board of Equalization; on the third Monday in May to make the annual tax levy; and at such other times to which any of said regular meetings shall be adjourned.

SEC. 2. Ordinance number 316 is hereby repealed.

SEC. 3. This Ordinance shall take effect and be in force from and after its approval by the Mayor.

ORDINANCE NO. 331.

AN ORDINANCE IMPOSING A GROUND RENTAL FOR EACH TELEGRAPH TELEPHONE, OR ELECTRIC LIGHT POLE ERECTED OR USED BY TELEGRAPH, TELEPHONE OR ELECTRIC LIGHT COMPANIES OR BY ANY PERSON, FIRM OR CORPORATION, IN THE STREETS, ALLEYS OR PUBLIC PLACES OF THE CITY OF EUREKA, AND PROVIDING FOR THE PAYMENT AND COLLECTION THEREOF.

(Approved March 4th, 1904.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. From and after the first day of April, 1904, every telegraph, telephone or electric light company and every person, firm or corporation that shall erect or use or may now have in use any telegraph, telephone or electric light pole in any of the streets, alleys or public places of the City of Eureka, shall pay to the said City of Eureka for the privilege of using the streets, alleys or public places thereof, the sum of ten cents per annum for each and every telegraph, telephone or electric light pole erected or used by such company, person, firm or corporation in the streets, alleys or public places of said City.

SEC. 2. Every such telegraph, telephone, electric light company, or such person, firm or corporation shall deposit and file with the City Clerk on the first day of March of each year, a verified statement showing the number of poles erected or used by such company, person, firm or corporation in the streets, alleys or public places of said City since the first day of April next prior thereto.

SEC. 3. The City Clerk shall copy and record said statement in a book kept by him for that purpose. It shall be the duty of the City Clerk to ascertain the correctness of the said statement, or if none be deposited with him, he shall escertain the facts desired from such a statement. If the statement be correct, the City Clerk shall furnish a memorandum of its contents to the City Treasurer. If it be incorrect, or if no statement shall have been deposited with the City Clerk as herein

provided, the memorandum shall be in conformity with the facts as ascertained by him.

SEC. 4. It shall be the duty of every telegraph, telephone, and electric light company and of every person, firm or corporation owning telegraph, telephone or electric light poles erected in any of the streets, alleys or public places in the City of Eureka, to appropriately mark such poles, by painting its name thereon, and in such manner that the ownership of such poles may be readily determined.

SEC. 5. The payments provided for in this Ordinance shall be made to the City Treasurer between the twentieth day of March and the first day of April of each year, and shall correspond in amount with the memorandum furnished by the City Clerk.

SEC. 6. In case default is made in any payment as provided in this Ordinance, the Treasurer shall at once notify the City Attorney of that fact and the City Attorney shall commence and conduct all necessary proceedings in the proper court in behalf of the city for the collection of the amount remaining unpaid.

SEC. 7. Any company, person, firm or corporation that shall violate any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding two hundred dollars, or by imprisonment not exceeding one hundred days, or by both such fine and imprisonment.

SEC. 8. This Ordinance shall be in force and effect from and after its approval by the Mayor.

ORDINANCE NO. 362.

(Approved August 4th, 1904.)

An Ordinance Authorizing the Purchase by the City of Eureka of the Pioneer Schoolhouse Lot for the Sum of $20,000 for the Use of Said City of Eureka as a Site for the Proposed New City Hall; Providing for the Payment of Such Sum, and Incurring an Indebtedness Against Said City in the Said Sum of Twenty Thousand Dollars. (See page 225 of Book "C" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 363.

(Approved August 4th, 1904.)

An Ordinance Awarding the Contract for the Erection, Construction and Completion of a City Hall Building for the City of Eureka; Declaring Wilson-Lyon Construction Company to be the Lowest and Best Bidder Thereon; Directing the Mayor to Enter into a Contract with said Bidder; Prescribing the Terms of the Contract and the Bonds to be Furnished by said Bidder; Providing for the Method of Payment for Such Work and Incurring Indebtedness by the City of Eureka in the Sum of $71,216 on Account of the Same. (See page 228 of Book "C" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 364.

(Approved August 4th, 1904.)

An Ordinance Authorizing and Directing the Mayor of the City of Eureka to Enter into a Contract with J. W. Rowell as Supervising Architect of the Construction of the City Hall for the City of Eureka, and for the Use of Plans and Specifications Adopted for Such Work; Fixing the Compensation of Said J. W. Rowell for the Plans and Specifications to be used in the Construction of such Building and for Supervising the Construction of the Same; and Incurring an Indebtedness by said City to Pay the Same. (See page 236 of Book "C" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 365.

(Approved August 11th, 1904.)

An Ordinance Awarding the Contract for the Construction of the Extension of the Sewer System of the City of Eureka, Declaring Williams and Belser to be the Lowest and Best Bidders on Section One Thereof, Moore & Lentell the Lowest and Best Bidders on Section Two Thereof. William Heafy to be the Lowest and Best Bidder on Sections Three and Four Thereof, and the Contra Costa Construction Company to be the Lowest and Best Bidder on Sections Five, Six, Seven and Eight Thereof; Directing the Mayor to Enter into Contracts with said Above-Named Parties for such Work; Prescribing the terms of Such Contracts and the Bonds to be Furnished by said Contractors; Providing the Method of Payment for Such Work and Incurring an Indebtedness by the City of Eureka in the Sum of $23,217 on Account of the Same. (See page 238 of Book "C" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 368.

(Approved August 18th, 1904.)

An Ordinance Providing for the Acceptance of a Deed from the Board of Education of Eureka School District, Conveying Lot Four (4) and the East Twenty (20) Feet of Lot Three (3) of Block Thirty-two (32) of the City of Eureka, California, to be used as a Site for a City Hall, and Providing for the Payment of the Consideration Thereof. (See page 249 of Book "C" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 374.

(Approved October 17th, 1904.)

An Ordinance Providing for the Acceptance of a Deed from John M. Vance and Sarah J. Vance Conveying Land to the City of Eureka as a Site for the Erec-

tion of a Flushing Tank for the Sewer System, and Providing for the Payment of the Same. (See page 264 of Book "C" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 379.

AN ORDINANCE FIXING THE MAXIMUM RATE FOR GAS AND ELECTRIC LIGHTS FURNISHED TO THE INHABITANTS OF THE CITY OF EUREKA.

(Approved February 24th, 1905.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. That for the period commencing on the first day of July, 1905, and ending on the 30th day of June, 1906, the maximum rate of compensation which any person or persons, firm, company, association or corporation may charge, collect and receive for furnishing gas or electric lights to the City of Eureka or the inhabitants thereof, for any and all illuminating purposes, is hereby fixed and established at the following rate or price, to-wit:

Gas for illuminating purposes, two ($2.00) Dollars for each one thousand (1000) cubic feet of gas and in this same proportion for each fractional part thereof, provided, that the minimum price for such furnishing of gas shall be one ($1.00) dollar.

Incandescent electric lights shall be fixed at the following rate: For the first fifty thousand (50,000) watts used, per month twelve (12) cents per thousand watts, and for all additional watts ten (10) cents per thousand watts per month; provided, that the minimum price for any furnishing of electricity for any one month shall be one ($1.00) dollar.

Flat rates for residences, based on sixteen (16) candle power incandescent lamps burning each and every night from one half (1-2) hour before sunset until one-half (1-2) hour after sunrise, shall be fixed as follows: Four (4) lamps or less fifty (50) cents each per month; From five (5) to ten (10) lamps, forty (40) cents each per month; All above ten (10) lamps, twenty-five (25) cents per month.

Commercial or store lights shall be fixed at the following rate: All night, $1.25 each per month; to midnight under ten (10) lamps, $1.00 each per month; to midnight ten (10) lamps or over eighty (80) cents each per month; to 9:30 p. m. under ten(10) lamps seventy-five (75) cents each per month; to 9:30 p. m. ten (10) lamps or over sixty (60) cents each per month; Open arc lights, two thousand (2000) candle power for stores shall be fixed at the following rates: For 9:30 p. m. circuit, six ($6.00) dollars each per month; for 10:30 p. m. circuit, eight ($8.00) dollars each per month; for 12 p. m. circuit, nine ($9.00) dollars each per month.

SEC. 2. All meter measurements of electricity shall be by watt meters and according to generally approved methods of electrical engineering.

SEC. 3. It shal be a violation of the provisions of this Ordinance if the rates for gas or electricity charged, collected or received for any lighting or illuminating purpose, as aforesaid, shall be in excess of the rate or price specified in Section 1 of this Ordinance, and the person or persons, firm, company, association or corporation violating any of the provisions of this Ordinance is guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than twenty-five ($25.00) dollars nor more than three hundred ($300.00) dollars, or by imprison-

ment for not more than thirty (30) days, or by both such fine and imprisonment.

SEC. 4. This Ordinance shall be in force from and after its approval by the Mayor.

ORDINANCE NO. 380.

AN ORDINANCE FIXING AND ESTABLISHING WATER RATES IN THE CITY OF EUREKA, FOR THE YEAR COMMENCING JULY 1ST, 1905.

(Approved February 24, 1905.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. Any person, company, or corporation, supplying water to any person, company, or corporation within the corporate limits of the City of Eureka, shall be allowed to charge for the sale thereof a sum not to exceed the folowing rates:

SEC. 2. For houses or tenements and public or private buildings (not including water for baths, water closets, urinals or for use outside of the house, tenement or building), except where meter is used:

For tenements occupied by a single family of not more than 3 persons, per month $1.

SEC. 3. For tenements occupied by a single family of more than 3 persons and not exceeding 5, $1.25.

SEC. 4. For tenements occupied by a single family of more than 5 persons and not exceeding 8 persons, per month, $1.50.

SEC. 5. For families and private boarding houses of more than eight persons, for each additional person, per month, 10 cents.

SEC. 6. For restaurants and eating houses per month, $2.50.

SEC. 7. For restaurants, or eating houses with bar or bakery, per month, $3.50

SEC. 8. For small stores and shops, per month, $1, with family living therein on same floor, $2.

SEC. 9. For large stores and warehouses, per month, $2.

SEC. 10. For saloons, per month, $2.

SEC. 11. For photograph galleries, per month, $2.50.

SEC. 12. For bakery, per month, $2.50.

SEC. 13. For blacksmith and wagon shops, per month, $1.

SEC. 14. For rooms in second and third stories occupied as offices, each room, per month, 25 cents.

SEC. 15. For lodge rooms, for each meeting night, 15 cents, provided that no rate shall be less than $1 per month.

SEC. 16. For public water closets, where there is only one, $1.50 per month; each additional water closet, $1, and for private water closets, 25 cents per month. For private water closets when water is used only for that purpose, $1 each, per month.

SEC. 17. For barber shops, per month, $1.50.

SEC. 18. For barber shops with baths, one tub, $2.50 per month; each additional tub, 75 cents.

SEC. 19. For drug stores, $2 per month; with fountain, each fountain, per month, $1 additional.

SEC. 20. For public bath tubs used in bathing establishments and boarding

houses, for each tub per month, $1; for bath tubs in private families, 25 cents per month, for bath tubs in private families where water is supplied for that purpose only, $1 per month.

SEC. 21. For horse kept in private stable, including water for washing one vehicle, 50 cents per month; for each additional horse so kept, 25 cents per month; for horses kept in private stable leased or used separate from dwelling, $1 per month for the first three horses and for each additional horse so kept, 25 cents per month.

SEC. 22. For building and plastering, for water used by plasterers for slacking each barrel of lime, 20 cents; for water used to dampen brick, for each M, 10 cents; for water used in mixing cement, for each barrel, 15 cents.

SEC. 23. For irrigating gardens and grounds, 1-4 cent per square yard per month, or as provided for by section 27 of this ordinance, and for irrigating small gardens and grounds when water is supplied for that purpose only, 1-2 cent per square yard per month, no rate to be less than $1 per month.

SEC. 24. For public and private schools, for each pupil, 2 cents per month for all purposes, based upon the monthly average attendance for school month.

SEC. 25. For printing offices $2; with steam or water power rates to be as provided by Section 27 of this ordinance.

SEC. 26. For each hydrant for fire purposes, including firemen's drills, per year, $45, which price includes all water used by fire engines and at the engine houses, city hall and jail, and for filling cisterns and tanks, which must be kept full at all times when said cisterns and tanks are in good repair.

SEC. 27. For hotels, lodging houses, livery stables, mills, manufacturing establishments, laundry houses, breweries, steam engines, gas works, office buildings, or where large quantities of water is used, monthly rates by special agreement or by meter measurement as follows:

Fifty cents per 1000 gallons for the first 10,000 gallons; and for all over 10,000 gallons 25 cents per 1000; single meter rates to be not less than $1 per month.

SEC. 28. For water carts for sprinkling streets, for each 1000 gallons, 10 cents.

SEC. 29. For flushing sewers, 10 cents per 1000 gallons.

SEC. 30. For all vessels or water boats lying along the wharves $1 for first 1000 gallons or fraction thereof, as provided by Section 27 of this ordinance. Water to be furnished upon demand when made between the hours of 7 a. m. and 6 p. m. of any day; and for steamers plying exclusively on Humboldt bay the rate to be as provided by said Section 27 of this ordinance.

SEC. 31. Immediately upon the alarm of fire all persons using water for irrigating must close their faucets and keep them closed during the continuance of the use of the water by the fire department.

SEC. 32. Any person dissatisfied with the amount of his or her water rates can have the same adjusted by meter by having a standard meter (equal to Nash or Thompson meter) put in and connected at the customer's expense and thereafter paying for water used at meter rates, as provided in Sction 27 of this ordinance. in lieu or instead of the rates named in the foregoing sections.

SEC. 33. The owner or agent or other officer of the person, company or corporation supplying water as herein provided, shall have power in all cases to ascertain by meter the quantity of water used and fix the price as provided is Section 27 of this ordinance.

SEC. 34. It shall be a violation of this ordinance if the rates for water charged, collected or received as aforesaid, shall be in excess of the rate or price specified in this ordinance and the person, company or corporation violating any of the

provisions of this ordinance is guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not less than twenty-five ($25.00) dollars nor more than three hundred dollars ($300.00) dollars or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

SEC. 35. This ordinance shall take effect on July 1st, 1905, and be in force for one year thereafter.

ORDINANCE NO. 386.

(Approved April 18th, 1905.)

An Ordinance Declaring that a Sufficient Petition has been Presented to the Council of the City of Eureka for the Submission to the Electors Thereof of Certain Amendments to the Charter of said City to be known as Sections 43 1-4 and 43 1-2, Providing for an Initiative and Referendum and Directing the Submission of said Proposed Amendments to the Qualified Voters of said City at the General Municipal Election to be held in said City on the 19th day of June, 1905, and Directing the City Clerk to Cause the said Proposed Amendments to be Published for the Time and in the Manner Required by Law. (See page 298 of Book "C" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 388.

AN ORDINANCE FIXING THE COMPENSATION OF CERTAIN CITY OFFICERS, AND REPEALING ORDINANCE NO. 233, ORDINANCE NO. 267, ORDINANCE NO. 269, ORDINANCE NO. 279, ORDINANCE NO. 299, AND ORDINANCE NO. 381.

(Approved Sept. 5th, 1905.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. The compensation of the following officers of the City of Eureka is hereby fixed as follows:

The Mayor, three hundred dollars per annum;

Each member of the Council, three hundred dollars per annum;

The City Physician, four hundred and eighty dollars per annum;

The Treasurer, seven hundred and twenty dollars per annum;

The Assessor, six hundred dollars per annum;

The Chief of Police, thirteen hundred and twenty dollars per annum; Captains, sergeants and all other members of the regular police force, except the policeman detailed as Pound Master, one thousand and eighty dollars per annum;

Police Judge, one thousand and eighty dollars per annum;

City Clerk, nine hundred dollars per annum;

City Attorney, seventy-five dollars per month;

City Engineer, ten dollars for each day he is actualy employed in the service of the city.

The several sums mentioned shall be paid in equal monthly installments.

provided that the compensation actually earned during each month by the City Engineer shall be paid at the beginning of the following month.

SEC. 2. Ordinance No. 233, approved March 1st, 1897; Ordinance No. 267, approved May 28th, 1901; Ordinance No. 269, approved June 1st, 1901; Ordinance No. 279, approved November 19th, 1901; Ordinance No. 299, approved August 15th, 1902; and Ordinance No. 381, approved February 24th, 1905, are hereby repealed.

SEC. 3. This ordinance shall take effect and be in force immediately.

ORDINANCE NO. 389.

AN ORDINANCE RELATING TO MUNICIPAL TAXES AND FIXING THE RATE OF TAXATION IN THE CITY OF EUREKA FOR THE FISCAL YEAR BEGINNING JULY 1ST, 1905, FOR MUNICIPAL PURPOSES AND FOR THE PAYMENT OF THE BONDED INDEBTEDNESS AND MAKING A LEVY FOR SAID PURPOSES, AND FIXING THE PERCENTAGE OF THE SAME FOR THE VARIOUS FUNDS OF SAID CITY.

(Approved May 16th, 1905.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. That the rate of taxation to be levied upon the real and personal property of the City of Eureka, for the fiscal year commencing July 1st, 1905, for the payment of municipal indebtedness and the interest thereon and for general municipal purposes is hereby fixed at 100 cents on each one hundred dollars of assessed value of taxable property in the said City.

SEC. 2. That the several funds heretofore established by ordinance are hereby continued and the percentage of said levy for said year shall be apportioned to said funds as follows: Bonded Indebtedness Fund, 30 per cent; General Fund, 15 per cent; Street and Alley Fund, 12.5 per cent; Fire Department Fund, 7 per cent; High School Fund, 13 per cent; Library Fund, 6.5 per cent; Police Fund, 7 per cent; Gas and Street Light Fund, 7 per cent; Park Improvement Fund, 2 per cent.

SEC. 3. There is hereby levied upon every male inhabitant of the City of Eureka, over 21 years and under 55 years of age, except members of the fire department and exempt firemen, a road poll tax of $2.00 as provided by Section 85 of the Charter of the City of Eureka.

SEC. 4. There is levied upon every male inhabitant of the City of Eureka, over the age of 21 years and under 60 years of age, except members of the Fire Department and exempt firemen, a poll tax of $1.00 as provided by Section 84 of the Charter of the City of Eureka.

SEC. 5. This Ordinance shall be in full force and effect from and after its approved by the Mayor, and shall be published in one issue of the Daily Humboldt Times.

ORDINANCE NO. 390.

(Approved May 17th, 1905.)

An Ordinance Giving Notice of a General Municipal Election in and for the

City of Eureka, and Providing for Places and Officers to Conduct the Same. (See page 322 of Book "C" of Ordinances.) (City Clerk's Records.)

ORDINANCE NO. 395.

AN ORDINANCE PROVIDING FOR THE MANNER OF THE SUBDIVISION OF BLOCKS AND TRACTS OF LAND INTO SMALL LOTS FOR THE PURPOSE OF SALE, WITHIN THE CITY OF EUREKA, REQUIRING THE FILING AND RECORDING OF SUCH MAPS AND PROVIDING FOR THE ACCEPTANCE ON BEHALF OF THE PUBLIC OF THE LANDS THEREIN DEDICATED FOR PUBLIC USE.

(Approved September 6th, 1905.)

Be it ordained by the Council of the City of Eureka as folows:

SECTION 1. Whenever any block or tract of land within the City of Eureka shall hereafter be subdivided into small lots for the purpose of sale, the same shall be subdivided as nearly as practicable, in conformity with the existing system of streets and alleys of the City of Eureka, and the streets and alleys in said block or tract shall be, wherever practicable, continuations of the present streets and alleys of said City of Eureka.

SEC. 2. Whenever any block or tract of land shall hereafter be subdivided into small lots for the purpose of sale, the proprietor or proprietors thereof shall cause to be made out two accurate maps or plates thereof, particularly setting forth and describing:

First—All the parcels of ground within such block or tract of land reserved for public purposes, by their boundaries, courses and extent, whether they be intended for avenues, streets, lanes, alleys, courts, commons or other public uses; and

Second—All lots intended for sale, either by number or letter, and their precise length and width.

SEC. 3. Such maps or plats shall be acknowledged by the proprietor, or if an incorporated company, by the chief officer thereof, before some officer authorized by law to take the acknowledgement of conveyances of real estate.

SEC. 4. The maps or plats so made, acknowledged and certified shall be presented to the Council of the City of Eureka, and the said Council shall endorse thereon which streets, roads, alleys, and highways, offered by said maps or plats, they accept on behalf of the public, and thereupon such streets, roads, alleys, highways, only as have been thus accepted, shall be and becomne dedicated to public use.

SEC. 5. When so endorsed, and not before, one of said maps or plats shall be recorded in the office of the County Recorder of Humboldt County as required by law and the other of said maps or plats shall be filed in the office of the Clerk of the City of Eureka, and shall be and become the property of said city. Said maps or plats shall be not more than thirty-six inches by thirty-six inches in size, and shall be drawn in all details clearly and legibly.

SEC. 6. This Ordinance shall be in force from and after its approval by the Mayor.

ORDINANCE NO. 397.

RELATING TO THE SUBJECT OF IMPRISONMENT FOR THE VIOLATION OF CITY ORDINANCES AND ESTABLISHING THE CITY PRISON.

(Approved September 6th, 1905.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. The City Prison of the City of Eureka is hereby located in the basement of the City Hall Building, which said building is situated on the southwest corner of Third and "G" Streets, Eureka, Cal., and the said City Prison shall be used to confine and restrain any person who is arrested for the violation of any ordinance of the city as is provided in Section 2 hereof.

SEC. 2. It shall be lawful and it is hereby made the duty of any peace officer of the City of Eureka, to confine in the place specified in Section One any person who is arrested for the violation of any ordinance of the City of Eureka, and to restrain such person in said place until admitted to bail by order of Court, or until otherwise imprisoned as provided in Section Three hereof.

SEC. 3. Any person found guilty of violating any ordinance of the City of Eureka and who shall be sentenced to imprisonment for any such violation, or who is sentenced to imprisonment for the nonpayment of any fine imposed for such violation, shall be imprisoned in the County Jail of Humboldt County in accordance with the sentence of the court having jurisdiction of said offense. The County Jail of Humboldt County is hereby designated and declared to be the City Prison of the City of Eureka for such purpose.

SEC. 4. The expense of such imprisonment shall be a charge in favor of the custodian of said County Jail against the City of Eureka, for the care and custody of such prisoners.

SEC. 5. Ordinance Number 256 and all other ordinances of the City of Eureka are hereby repealed that conflict with this ordinance.

SEC. 6. This ordinance shall be in full force and effect from and after the first day of October, 1905.

ORDINANCE NO. 401.

AN ORDINANCE AUTHORIZING THE APPOINTMENT OF A WATCHMAN AND A JANITOR FOR THE NEW CITY HALL BUILDING IN THE CITY OF EUREKA, AND PROVIDING FOR THEIR COMPENSATION.

(Approved September 8th, 1905.)

Be it ordained by the Council of the City of Eureka as folows:

SECTION 1. The Mayor of the City of Eureka, by and with the consent of the Council of said City, shall appoint a watchman for the New City Hall, whose salary or compensation is hereby fixed at $75.00 per month.

SEC. 2. The Mayor of the City of Eureka, by and with the consent of the Council of said City, shall appoint a Janitor for the New City Hall, whose salary or compensation is hereby fixed at $75.00 per month.

SEC. 3. The employes whose appointment is herein provided for shall hold such appointment during the pleasure of the Mayor.

SEC. 4. This ordinance shall be in full force and effect from and after its approval by the Mayor.

GROUP XI.

Penal Ordinances.

Penal Ordinances.

Not Otherwise Classified.

(List of Penal Ordinances Not Otherwise Classified in this Book)

Title Nos. References to Titles

28—For the Suppression of Vice and Immorality in the City.

55—Prohibiting the Carrying of Concealed Weapons.

79—Curfew Ordinance.

158—Regulating Building of Bonfires.

176—To Prevent the Sale and the Use of Cigarettes.

200—Prohibiting Keeping Vicious or Unlicensed Dogs.

201—Prohibiting Fast or Dangerous Riding or Driving.

205—For Protection Against Smoke, Soot, Cinders and Sparks.

209—To Protect Persons and Property Passing Over Wharves.

216—Providing for Regulating of City Wharf at foot of "F" Street.

222—Prohibiting Discharge of Firearms, Sling-Shots, Air-Guns, Etc.

224—To Promote Morality and Good Order; Prevent Disturbances of the Peace.

262—Prohibiting the Depositing of Ashes in Wooden Vessels.

317—To Prevent Disorderly Conduct and Breaches of the Peace.

322—Regulating the Storing and Keeping of Gunpowder, Hay, Etc.

323—Prohibiting the Running of Dance Houses Connected With Saloons.

326—Prohibiting Children Under 16 years Jumping on or off Moving Vehicles.

343—Regulating the Using of Water by Consumers.

361—For the Protection of Shrubs, Trees, Bushes and Birds in Forest Park.

366—Prohibiting Selling of Intoxicating Liquors Within ¾ Mile of Park.

371—Regulating Speed of Trains Running Through the City.

382—Regulating Erection and Use of Steam Boilers, Etc.

Penal Ordinances.

ORDINANCE NO. 28

FOR THE SUPPRESSIONOF VICE AND IMMORALITY IN THE CITY OF EUREKA.

(Approved February 5th, 1877.)

The Mayor and Common Council of the City of Eureka do ordain as follows:

SECTION 1. Every female person who shall, within the corporate limits of the City of Eureka, solicit, entice, or attempt to persuade any male person to enter her house, or any house in which she may be, or shall beckon or make any signal to such person to induce him to enter such house, whether in the day or night time for any lewd or immoral purpose, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than twenty nor more than one hundred dollars, and the costs of the prosecution, or by imprisonment in the city prison not exceedig ten days, or by both such fine and imprisonment.

SEC. 2. Every person who, being the occupant of any house within said city, shall suffer or permit any female person to violate Section 1 of this Ordinance shall be deemed guilty of the offense described in Section 1 and shall upon conviction thereof be subject to a like penalty.

SEC. 3. This ordinance shall take effect from and after the time of its first publication.

ORDINANCE NO. 55.

PROHIBITING THE CARRYING OF CONCEALED WEAPONS

(Approved Nov. 6th, 1878.)

The Mayor and Common Council of the City of Eureka do ordain as follows:

SECTION 1. It shall be unlawful for any person not being a public officer, or traveler, or not having a permit from the Mayor of this city, to wear or carry concealed, within the corporate limits of this city, any pistol, dirk, or any other dangerous or deadly weapon.

SEC. 2. Every person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon due proof thereof, shall be fined in a sum not to exceed one hundred dollars, or imprisonment in the city prison not exceeding ten (10) days, or by both such fine and imprisonment. Such persons, and no others, shall be termed travelers within the meaning of this Ordinance as may be actually engaged in making a journey at the time.

SEC. 3. The Mayor of the city may grant written permission to any peaceable person, whose profession or occupation may require him to be out at late hours of the night, to carry concealed weapons for his own protection.

SEC. 4. This Ordinance shall take effect from and after its first publication.

ORDINANCE NO. 79

CURFEW ORDINANCE

(Approved Feb. 7th, 1883)

The Mayor and Common Council of the City of Eureka do ordain as follows:

SECTION 1. It shall be unlawful for any minor person or persons under the age of sixteen years, or apparently under the age of sixteen years, to loiter or loaf about, or congregate upon any public street, square, or grounds within the corporate limits of the City of Eureka, between the hours of nine o'clock p. m., of any day, and five o'clock a. m., of the following day, unless accompanied by a parent or guardian of such minor or minors.

SEC. 2. Any minor person or persons under the age of sixteen years, or apparently under the age of sixteen years, found on any public street,square or grounds within the corporate limits of the City of Eureka, contrary to the provisions of Section one of this Ordinance shall be deemed guilty, and shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding twenty dollars, or by imprisonment not exceeding ten days, or by both such fine and imprisonment.

SEC. 3. This Ordinance shall take effect immediately.

ORDINANCE NO. 158.

REGULATING BONFIRES.

(Approved October 18, 1892.)

The Mayor and Common Council do ordain as follows:

SECTION 1. It shall be unlawful for any person to build a bonfire on any of the streets or alleys of Eureka, without obtaining permission so to do from the Mayor.

SEC. 2. It shall be unlawful to build any bonfire out of boxes, barrels or other fuel having any nails, screws or wires therein.

SEC. 3. Any person obtaining permission from the Mayor to build a bonfire shall carefully watch and guard the same, and not leave it until it is fully extinguished, and shall remove at once all fagots, coals and pieces of fuel left from off the street or alley.

SEC. 4. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and shall be punished by being fined in a sum not exceeding twenty-five dollars, or imprisoned in the County Jail of Humboldt County not exceeding ten days.

SEC. 5. This Ordinance shall take effect immediately upon its approval by the Mayor.

ORDINANCE NO. 176.

TO PREVENT THE SALE AND USE OF CIGARETTES.

(Approved Sept. 6th, 1894)

WHEREAS, It has been made to appear to the Common Council of the City

of Eureka that a cigarette contains ingredients poisonous to the human system, and that the habit of smoking cigarettes impairs the health and undermines the constitution of any person using the same; therefore the Common Council of the City of Eureka do ordain as follows:

SECTION 1. It shall be unlawful for any person in the City of Eureka to sell offer for sale or give away any cigarette or cigarettes.

SEC. 2. No person in the City of Eureka shall permit any cigarette or cigarettes to be sold in any place owned, leased or occupied by him.

SEC. 3. No minor shall smoke any cigarette or cigarettes in any railway car, street, alley, court, or other public place in the City of Eureka.

SEC. 4. Any person who shall violate any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred ($100) dollars, or by imprisonment in the County Jail of Humboldt County not exceeding ten days, or by both such fine and imprisonment.

SEC. 5. This Ordinance shall take effect on January 1st, 1895.

ORDINANCE NO. 200.

REGULATING THE KEEPING AND LICENSING OF DOGS AND PROHIBITING THE KEEPING OF VICIOUS DOGS.

(Approved Jan. 20th, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. That it shall be unlawful for any person to own, keep or harbor any dog within the corporate limits of the City of Eureka without first registering the said dog at the office of the City Clerk, and obtaining each year a license tag for such dog and causing said dog tag to be constantly worn upon the collar around such dog's neck whenever said dog is on a public street or alley or in any public place in said city. The City Clerk shall keep a book entitled "Register of Dogs," in which he shall enter in the order of issuance of tags, the names of persons obtaining such tags, the number of the tag so registered, the date of issuance of all dog license tags and the time when such license expires. The said tags shall be of some durable metal, and shall be numbered consecutively and have the words "License" and the date to which the license is paid plainly written or stamped thereon. The amount to be paid for such license shall be for each male dog the sum of one dollar, and for each female dog the sum of two and one-half dollars, and shall run from the date of issuance to December 31st of the same year. All money received by the Clerk herein must be paid to the Treasurer. Any person violating the provisions of this Section shall be guilty of a misdemeanor.

SEC. 2. Any dog running at large upon the streets or alleys, or in any public place, in the City of Eureka without having upon its neck the license tag by this Ordinance provided, shall be taken by the Pound Master and kept in a safe place provided for such purposes, and the Pound Master shall forthwith post notices in three public places in the said City of Eureka, giving the description of such dog and the place where and the date when it is to be sold; but such sale shall not take place within less than four days after the posting of said notices, and if after the expiration of said notice no person has appeared to claim and redeem from custody

said dog by paying for a license tag and the cost of keeping said dog, which shall not be more than fifty cents per day, nor more than five dollars, exclusive of the license tag, then the Pound Master shall sell said dog to the highest bidder, and the purchaser shall also pay for a license tag for said animal. If there be no bidder at said sale, the Pound Master shall kill and dispose of said dog without further cost to the city. The Pound Master shall be allowed one dollar as expense for keeping each dog taken by him hereunder.

SEC. 3. It shall be unlawful for any person to own, keep or harbor any vicious dog within the corporate limits of the City of Eureka. Any person violating any provision of this Section is guilty of a misdemeanor.

SEC. 4. Every person violating any provision of this Ordinance shall upon conviction be punished by a fine not exceeding fifty dollars or by imprisonment not exceeding ten days, or by both such fine and imprisonment.

SEC. 5. Sections nine, ten, eleven and twelve of Ordinance No. 197 of the City of Eureka, entitled "Ordinance No. 197, Regulating the Running at Large and Imposing a License Tax on Certain Animals and Providing for a Pound and Pound Master," are hereby repealed.

SEC. 6. This Ordinance shall take effect immediately.

ORDINANCE NO. 201.

PROHIBITING FAST OR DANGEROUS RIDING OR DRIVING.

(Approved January 20th, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. No person shall ride, drive, or lead any horse or other animal upon any public street or place in the City of Eureka at an unusual, furious or dangerous speed, or in such a manner as to endanger or unreasonably inconvenience any person, or endanger or injure any property.

SEC. 2. Every person violating any provision of this Ordinance is guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, or by imprisonment for not less than five nor more than ten days, or by both such fine and imprisonment.

SEC. 3. Ordinance No. 25 is hereby repealed.

ORDINANCE NO. 208.

FOR PROTECTION AGAINST SMOKE, SOOT, CINDERS AND SPARKS.

(Approved May 4th, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. It shall be unlawful for any person, corporation or any officer thereof to own or use any smokestack, chimney, flue or stovepipe within the City of Eureka which imperils or endangers any surrounding property by fire, or annoys the residents in the neighborhood with smoke, soot, cinders or sparks. Every person, corporation or officer thereof who fails or refuses to alter, abate or improve such smokestack, chimney, flue or stovepipe so that the same will not endanger

surrounding property, or annoy the residents in the neighborhood with soot, smoke, sparks or cinders, after being requested so to by the Chief Engineer of the Fire Department, or any member of the police force, shall be deemd guilty of a misdemeanor, and upon conviction, shall be punished by fine of not less than twenty-five and not more than five hundred dollars, or imprisonment not exceeding ten days, or by both such fine and imprisonment.

SEC. 2. Ordinance No. 93 is hereby repealed.

ORDINANCE NO. 209.

TO PROTECT PERSONS AND PROPERTY PASSING OVER WHARVES

(Approved May 4th, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. All wharves within the City of Eureka at which passengers or freight are taken upon or from any steamer, boat or vessel, shall be kept in such condition as not to endanger the life, limbs or safety of any person, or the safety of any vehicle or animal passing over the same.

SEC. 2. Whenever any such wharf shall get out of repair, or be so worn as to be dangerous to animals or to the lives,limbs or safety of persons passing over the same, it shall be the duty of the person owning or in possession or charge or control thereof to immediately put such wharf in the condition required by Section 1 of this ordinance, and if after being notified so to do by the Superintendent of Streets, such person shall fail or neglect to perform that duty for a period of five days, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine not exceeding two hundred dollars, or by imprisonment not exceeding ten days, or by both such fine and imprisonment.

SEC. 3. Ordinance No. 57 is hereby repealed.

ORDINANCE NO. 216

TO REGULATE THE USE OF THE CITY WHARF AT THE FOOT OF "F" STREET

(Approved May 25th, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. It shall be unlawful for any person or persons to obstruct or block up the entrance to the slip in the city wharf at the foot of "F" street in such a manner as to prevent free access thereto or egress therefrom of such boats and vessels as are by this Ordinance permitted to enter and lie at and in said slip.

SEC. 2. It shall be unlawful for any person or persons to take into or leave in the slip in the city wharf at the foot of "F" street any boat or vessel more than twenty feet in length of keel.

SEC. 3. It shall be unlawful for any person or persons owning, or having the charge or care of any boat or vessel, to leave the same in the slip in the city wharf at the foot of "F" street for more than eighteen hours at any one time be-

tween Monday morning and Saturday evening of any week, or for more than forty hours between any Saturday noon and noon on the following Monday.

SEC. 4. Any boat or vessel lying in the slip at the foot of "F" street in the City of Eureka for a greater length of time than is permitted by Section three of this Ordinance, without any owner or claimant, is hereby declared to be a nuisance and it shall be the duty of the Chief of Police of the City of Eureka to cause the removal of the same.

SEC. 5. Any person who violates any provision of this Ordinance is guilty or a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding ten days, or by both such fine and imprisonment

SEC. 6. Ordinance No. 80 is hereby repealed.

ORDINANCE NO. 222.

PROHIBITING THE DISCHARGE OF FIREARMS, SLING-SHOTS, AIR-GUNS, TOY CANNONS, FIRECRACKERS AND EXPLOSIVES

(Approved May 25th, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. Every person who discharges any firearm, sling-shot, air-gun, or toy cannon within the city limits is guilty of a misdemeanor.

SEC. 2. Every person who fires off, or causes to be fired off, any Chinese bomb, firecracker, torpedo, rocket, or any other explosive material whatever within the City limits at any time, except on the Fourth of July of each year, is guilty of a misdemeanor; provided, this Section may be suspended for twenty-four hours, at any time, by the Mayor, by his order in writing.

SEC. 3. Every person violating any provision of this Ordinance shall be punished by a fine not exceeding one hundred dollars or imprisonment not exceeding ten days or by both such fine and imprisonment.

SEC. 4. Ordinances No. 17, No. 49 and No. 161 are hereby repealed.

ORDINANCE NO. 224.

TO PROMOTE MORALITY AND GOOD ORDER, AND PREVENT DISTURBANCES AND BREACHES OF THE PEACE.

(Approved May 25th, 1896.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. Every person who shall be drunk upon any street, alley, lane, sidewalk, public thoroughfare, public place or any private premises, or in any private house, within the corporate limits of the City of Eureka, shall be guilty of a misdemeanor.

SEC. 2. Every person who shall disturb, disquiet or interrupt any school, school procession, funeral, funeral procession, or any lawful procession, or any

assemblage of people met for a lawful purpose, or for the purpose of attending a funeral, or the burial of the dead, shall be guilty of a misdemeanor.

SEC. 3. Every person who shall exhibit or perform, or assist in exhibiting, performing or giving, or be present as a spectator of, any indecent, immoral, lewd play, show, representation, or exhibition, shall be guilty of a misdemeanor.

SEC. 4. Every person who, in the presence of two or more persons, utters any bawdy, lewd, obscene, or profane language, words, or epithets, or utters in any public place, or in the hearing of five or more persons, any slanderous, vile, or indecent words or epithets, of or concerning any person present or absent, unless such words or epithets are true and uttered with good motives, and for justifiable purposes, is guilty of a misdemeanor.

SEC. 5. The loitering or assembling without lawful purpose or business of one or more persons in the neighborhood of any school house, public or private, in the City of Eureka, or on the grounds attached to such school house, during the hours for assembling or dismissal of such schools, or intermission between school hours, is hereby declared to be a misdemeanor.

SEC. 6. Every person who, with two or more other persons, shall assemble or congregate upon any street or sidewalk within the City of Eureka, and who, upon being requested by a policeman to move on, shall neglect or refuse to do so, shall be guilty of a misdemeanor.

SEC. 7. Every person violating any provision of this Ordinance shall, upon conviction, be punished by fine not exceeding five hundred dollars, or imprisonment not exceeding ten days, or by both such fine and imprisonment.

SEC. 8. Ordinances No. 21, No. 16, No. 87 and No. 103 are hereby repealed.

ORDINANCE NO. 262.

AN ORDINANCE TO PROHIBIT THE DEPOSITING OF ASHES IN CONTACT WITH VESSELS OR FLOORS OF CERTAIN MATERIALS, AND PROVIDING FOR A PENALTY.

(Approved April 16th, 1901.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. No person shall, in the City of Eureka, deposite or place any ashes or cause ashes to be deposited or placed or permit or allow the same to be or to remain in contact with any floor or vessel of wood, or other combustible material, or in any metallic vessel within two inches of any woodwork.

SEC. 2. It is hereby made a misdemeanor for any person in the City of Eureka to do or permit or cause to be done or allowed any act or acts prohibited in Section one hereof.

SEC. 3. Every person violating any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding $50.00 and in case such fine is not paid, then by imprisonment as provided by law at the rate of one day for every dollar of the fine so imposed.

SEC. 4. This ordinance when approved shall be published four successive issues in the Humboldt Daily Standard, a daily newspaper published in the City of Eureka and when so published the same shall take effect immediately.

ORDINANCE NO. 317.

AN ORDINANCE TO PREVENT DISORDERLY CONDUCT AND BREACHES OF THE PEACE WITHIN THE CORPORATE LIMITS OF THE CITY OF EUREKA.

(Approved Sept. 16th, 1903.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. It shall be unlawful for any person to lie or sleep on any of the sidewalks, streets, alleys, or other public places within the corporate limits of the City of Eureka, or to appear therein in such a state of intoxication or drunkenness as to be unable to take proper care of himself, or to disturb the peace or quiet of any person, family or neighborhood by drunkenness, or by making loud or unusual noises or by violent or offensive language, or by boisterous, tumultous or offensive conduct, or by threatening, traducing, quarreling, fighting or offering or challenging to fight, or in any other way or manner whatsoever to disturb the peace, quiet and decency of any person or neighborhood.

SEC. 2. It shall be unlawful for any person to keep a riotous or disorderly house, or to permit any riotous or disorderly conduct in any house, yard or premises connected with his house, or be guilty of any riotous or disorderly conduct in any house, yard or premises, whereby the peace, quiet or decency of the neighborhood of such house or of any person may be disturbed.

SEC. 3. Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both such fine and imprisonment.

SEC. 4. This ordinance shall be in full force and effect from and after the first day of October, A. D. 1903.

ORDINANCE NO. 322.

AN ORDINANCE REGULATING THE KEEPING AND STORING OF GUNPOWDER, HAY OR STRAW, CRUDE PETROLEUM, OR THE REFINED PRODUCTS PRODUCED FROM PETROLEUM, AND PROVIDING FOR THE INSPECTION OF PLACES WHERE SUCH ARTICLES ARE STORED.

(Approved Dec. 3, 1903.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. No person shall receive, keep or store, or have in any one place within the City of Eureka more than fifty pounds of gunpowder, except duly licensed powder magazines. All dealers in gunpowder shall keep the same in an air tight metallic vessel, which vessel shall be marked with the word "Gunpowder" in plain Roman letters, not less than three inches in height and of appropriate width; and shall keep and maintain in some conspicuous place in front of the premises near the front entrance where such business is carried on, a sign marked "Licensed to Sell Gunpowder" in plain Roman letters.

SEC. 2. No person shall receive or store any giant or blasting powder, dynamite or nitro glycerine, except duly licensed powder magazines.

SEC. 3. No person shall erect or maintain any powder magazine within the limits of the City of Eureka, without having first received a license or permit so to do from the Mayor and Chief of the Fire Department; or from the Council of the said City.

SEC. 4. It shall be unlawful for any person or persons, firm or corporation, to store, permit the storage of, or keep for sale within the corporate limits of the City of Eureka, in larger quantities than twenty gallons, to be always kept in metallic cans, in any one building, any gasoline, benzine, naphtha, distillate or any refined products of petroleum or hydro carbonide liquids emitting any inflammable vapor, or to store any calcium carbide in any greater quantity than one hundred pounds. Said calcium carbide to be kept in hermetically sealed cans; unless the same be stored in a building or warehouse used for and devoted exclusively for the storage of such substances. No building or warehouse shall be used for such storage except on first receiving a license or permit so to do from the Mayor and Chief of the Fire Department, or from the Council of the said city. But this section shall not apply to coal oil, which may be kept for sale in quantities not exceeding two hundred and twenty-five gallons.

SEC. 5. It shall be unlawful for any person or persons, firm or corporation to store or permit to be stored, or keep for sale within the corporate limits of the City of Eureka in larger quantities than one hundred and twenty-five gallons, to be always kept in metallic cans, any crude petroleum, excepting as hereinafter provided; any person desiring to keep or store crude petroleum in larger quantities than one hundred and twenty-five gallons must provide suitable tanks, the top of which shall be at least two feet below the surface of the ground, or if stored in elevated tanks, to be built in accordance with the provisions of the permit hereinafter provided for. But in all cases the said persons shall first get a license or permit so to do from the Mayor and Chief of the Fire Department or from the Council of the said City.

SEC. 6. No person shall keep or store or suffer to remain in any place within the City of Eureka, hay or straw in quantities exceeding two hundred and fifty tons; receive, keep or suffer to remain, any hay or straw in any quantity, in any place in said City within a distance of one hundred feet of any dwelling house or place of business; provided that hay or straw may be received, kept or stored in any securely enclosed wooden building, situate with in a distance of one hundred feet from any dwelling house or place of business in quantities not exceeding fifty tons.

SEC. 7. The Chief of the Fire Department of the said City of Eureka is hereby authorized and directed to inspect, all places or buildings where any of the articles herein enumerated are stored or kept for sale, at least once in every thirty days; and the Chief of said Fire Department is hereby allowed a compensation of fifty dollars per year for the performance of said duty.

SEC. 8. Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one hundred dollars or by imprisonment in the city prison not exceeding thirty days, or by both such fine and imprisonment.

SEC. 9. This Ordinance shall take effect upon its approval by the Mayor.

ORDINANCE NO. 323.

AN ORDINANCE PROHIBITING THE RUNNING OF DANCE HOUSES IN CONNECTION WITH SALOONS AND DRINKING PLACES, WITHIN THE LIMITS OF THE CITY OF EUREKA, AND PRESCRIBING A PENALTY FOR THE VIOLATION THEREOF.

(Approved Dec. 3rd, 1903.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. It shall be unlawful for any person or persons to keep, conduct, manage, carry on or operate within the limits of the City of Eureka, for gain or otherwise, any dance house in connection with or as a part of any saloon, bar, barroom, tippling house, dram shop, sample room or other place where intoxicating drinks, or spirituous or malt or mixed or fermented liquors, wine or beer are sold, retailed, given away, or in any manner furnished or disposed of.

SEC. 2. Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty-five dollars nor more than five hundred dollars, or by imprisonment in the county jail of the County of Humboldt not exceeding six months or by both such fine and imprisonment.

SEC. 3. This ordinance shall be in force from and after its approval by the Mayor.

ORDINANCE NO. 326.

AN ORDINANCE TO PROHIBIT PERSONS UNDER SIXTEEN YEARS OF AGE FROM JUMPING UPON OR OFF ANY MOVING STREET CAR, WAGON OR TRUCK OR OTHER VEHICLE, IN THE CITY OF EUREKA AND PROVIDING A PENALTY FOR VIOLATION OF THE SAME.

Approved Jan. 6th, 1904.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. It shall be unlawful for any person under the age of sixteen years to jump upon or off, or to get on, or attempt to get on, or get off, or attempt to get off, of any street car, propelled by an electric motor or otherwise, or any wagon, or any truck or other vehicle drawn by one or more horses, while the same or either of them are in motion, within the corporate limits of the City of Eureka.

SEC. 2. Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor, and on conviction shall be punished by a fine of not less than ten dollars nor more than fifty dollars or by imprisonment in the County Jail of the County of Humboldt not exceeding one month or by both such fine and imprisonment.

SEC. 3. This Ordinance shall take effect immediately upon its approval by the Mayor.

ORDINANCE NO. 343.

AN ORDINANCE FIXING CERTAIN RULES GOVERNING CONSUMERS OF WATER FURNISHED BY ANY PERSON, COMPANY OR CORPORATION TO THE CITY OF EUREKA, OR BY THE INHABITANTS THEREOF, AND PROVIDING A PENALTY FOR ITS VIOLATION.

(Approved April 15th, 1904.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. No owner, person or occupant of premises shall turn on the

water, or suffer to cause it to be turned on for testing or any other purpose, after it has been turned off by the person, company or corporation furnishing water without first having obtained the consent of said person, company or corporation.

SEC. 2. All contractors must obtain permits in writing from the person, company or corporation furnishing water to said contractors before using water for mortar or brick work or cement sidewalks, or for plastering or cement work.

No consumer of water who does not use a meter shall allow any contractor or contractors to use water except such contractor or contractors produce the permit required by this section.

SEC. 3. No person shall sprinkle the streets, alleys or public grounds of said city from private hydrants, except in cases where such hydrants are connected with a meter.

SEC. 4. The person, company or corporation furnishing water shall by and through its agents be allowed free access at reasonable hours during the day to any place for the purpose of making personal examination of the premises of any applicant for or consumer of water for the purpose of determining the rate to be established and for the inspection of the water pipes and other apparatus in connection therewith.

SEC. 5. Water may be turned off from any premises upon which the rentals are in arrears thirty days, and an additional charge of one dollar may be imposed for again turning on to said premises.

SEC. 6. All extra fixtures on any premises whether used or not shall be considered as used and charged for so long as the same remains in position; and where more than one family occupy the same premises independently of each other, each of said families shall pay the same rate as if occupying a separate house or premises.

SEC. 7. No person or persons (except a fireman in the discharge of his duty) shall open or in any way tamper with any fire hydrant, stop cock, air cock or gate connected with the mains of the person, company or corporation furnishing water to the City of Eureka, without first obtaining a written permit from the Superintendent of said person, company or corporation.

SEC. 8. Any person who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined in a sum not less than twenty-five ($25.00) dollars, and not more than three hundred ($300.00) dollars, or by imprisonment for not more than thirty days, or by both such fine and imprisonment.

SEC. 9. This ordinance shall take effect ten days after its approval by the Mayor, and shall be published for ten days thereafter.

ORDINANCE NO. 361.

AN ORDINANCE TO PROTECT THE SHRUBBERY, TREES, BUSHES, AND BIRDS IN FOREST PARK.

(Approved Aug. 4th, 1904.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. It is hereby declared to be unlawful for any person to damage break, or mutilate any of the trees, shrubs, bushes, buildings, benches or seats in Forest Park.

SEC. 2. It is hereby declared to be unlawful for any person to uproot, or take, or

carry away, any maiden hair or other fern, or any bushes or shrubs in Forest Park unless with permission of the Mayor of the City.

SEC. 3. It is hereby declared to be unlawful for any person to set spring or other traps to catch, shoot with air pistols, or other weapon, or disturb, or molest in any manner any birds in Forest Park.

SEC. 4. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding one hundred dollars and in case the said fine shall not be paid, shall be imprisoned until said fine is paid at the rate of one day for every two dollars of such fine.

SEC. 5. This Ordinance shall take effect immediately upon its approval by the Mayor.

ORDINANCE NO. 366.

AN ORDINANCE TO PROHIBIT THE SALE OF INTOXICATING LIQUOR WITHIN THREE QUARTERS OF A MILE OF FOREST PARK, A PUBLIC PARK OF THE CITY OF EUREKA.

(Approved August 18th, 1904.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. It shall not be lawful for any person or persons to keep or expose for sale, or sell, or permit others to take for a consideration, directly or indirectly, any malt, spirituous, or other alcoholic liquors, wine or beer, upon or within three quarters of a mile of Forest Park, a public park of the City of Eureka.

SEC. 2. Any violation of section one of this ordinance shall be deemed a misdemeanor, punishable by fine or imprisonment or both. The fine shall not be more than one hundred dollars, and the imprisonment to be not more than one hundred days for each offense.

SEC. 3. This ordinance shall be in full force and effect from and after its approval by the Mayor, and shall be published four times in the Evening Herald, a newspaper printed and published in the City of Eureka.

ORDINANCE NO. 371.

AN ORDINANCE REGULATING THE SPEED OF RAILROAD TRAINS PROPELLED BY STEAM POWER WITHIN THE CITY OF EUREKA, AND PROVIDING FOR THE RINGING OF THE ENGINE BELL WITHIN SAID CITY, AND THE PLACING OF WARNING SIGNS AT STREET CROSSINGS.

(Approved Oct. 17th, 1904.)

Be it ordained by the Council of the City of Eureka:

SECTION 1. No person, firm or corporation owning, operating or controlling

any railway engine, or cars propelled by steam in the City of Eureka shall cause, allow or permit the same to pass over, along or upon that portion of the City of Eureka hereinafter described, at a speed greater than eight miles per hour. The portion of the City of Eureka on which the speed shall be limited is as follows:

That portion of the City of Eureka north of Second street between the bridge across Eureka slough and the west side of S street, and between the west end of the tunnel at M street' and the west side of A street.

SEC. 2. No person, firm or corporation owning, operating or controlling any railway engine, or cars, propelled by steam in the City of Eureka, shall cause, allow or permit the same to be propeled over or along or upon that portion of the City of Eureka set forth in Section One hereof, unless the bell on the engine so owned, controlled or operated, is continuously rung while said engine is proceeding over said route.

SEC. 3. Every person, firm or corporation owning, controling or operating a steam railway in the City of Eureka shall place at every public street or public crossing along the line of its railroad in said city a sign, which shall be illuminated at night when trains are being operated, elevated at least ten feet above the sidewalk or crossing, with the words printed thereon in bold letters, "Railroad Crossing. Stop, Look Listen," or other warning words.

SEC. 4. Any person violating, or causing to be violated, any provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding five hundred dollars and in case the said fine be not paid, then the person so fined shall be imprisoned in the county jail of Humboldt County, at the rate of one day for each two dollars of the fine so imposed.

SEC. 5. This ordinance shall take effect immediately upon its approval by the Mayor.

ORDINANCE NO. 382.

REGULATING THE ERECTION, MAINTENANCE, AND USE OF STEAM ENGINES AND BOILERS AND STEAM BOILERS.

(Approved Feb. 21st, 1905.)

Be it ordained by the Council of the City of Eureka as follows:

SECTION 1. It shall be unlawful for any person, firm, or corporation to erect, or cause to be erected, or to maintain or use, any steam engine and boiler or steam boiler, without permission from the City Council, and such permission shall not be granted unless the applicant therefor shall file in the office of the City Clerk with his application, a certificate of the soundness of such steam engine and boiler, or steam boiler and of its being so erected, maintained or used as to confine the vibrations thereof and therefrom to the land owned or controlled by said applicant, said certificate to be signed by a competent steam engineer, provided, however, that the provisions of this ordinance shall not apply to the temporary erection, maintenance or use of any steam engine and boiler or steam boiler for building or construction purposes.

SEC. 2. Before issuing any permit for the erection, maintenance or use of any steam engine and boiler or steam boiler the Council must be satisfied that said

steam engine and boiler or steam boiler is of such construction and so erected, maintained, or used, as not to endanger the public safety, health or comfort.

SEC. 3. All steam engines and boilers, and steam boilers must be constructed, erected and maintained to the satisfaction of the City Council.

SEC. 4. Permits for the erection, maintenance and use of steam engines and boilers and steam boilers, are not transferable, and may be revoked at the pleasure of the City Council.

SEC. 5. Any person, firm, or corporation who shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed five hundred dollars ($500.00), or by imprisonment in the County Jail of Humboldt County for not more than six months, or by both such fine and imprisonment.

SEC. 6. This ordinance shall, after its approval by the Mayor, be published for five successive issues in the Daily Humboldt Times, and shall, upon the last publication thereof, go into immediate effect.

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